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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, APRIL 28, 2016**

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# JOURNAL OF THE SENATE

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ONE HUNDRED NINTH CALENDAR DAY  
SIXTY-SIXTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, April 28, 2016

The Senate met in regular session at 9:11 a.m., President Jochum presiding.

A moment of silence was observed by the Senate.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Jochum.

The Journal of Wednesday, April 27, 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 April 27, 2016, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2316](#), a bill for an act relating to the collection of delinquent court debt and associated installment agreements.

ALSO: That the House has on April 27, 2016, **concurred** in the Senate amendment and **passed** the following bill in which the concurrence of the House was asked:

[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.

ALSO: That the House has on April 27, 2016, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 2468](#), a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions.

Read first time and attached to **similar** [Senate File 2327](#).

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 9:13 a.m. until 1:00 p.m.

#### RECONVENED

The Senate reconvened at 1:08 p.m., President Jochum presiding.

The Senate stood at ease at 1:09 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:45 p.m., President Jochum presiding.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bertrand, Chelgren, and Zaun, until they arrive, on request of Senator Dix.

CONFERENCE COMMITTEE REPORT RECEIVED

[Senate File 2304](#)

A conference committee report, signed by the following Senate and House members, was filed April 28, 2016, on [Senate File 2304](#), a bill for an act relating to standards for and certification and inspection of children's residential facilities:

On the part of the Senate:

ROBERT M. HOGG, Chair  
JOE BOLKCOM  
TIM KRAAYENBRINK  
HERMAN C. QUIRMBACH  
AMY SINCLAIR

On the part of the House:

BOBBY KAUFMANN, Chair  
RUTH ANN GAINES  
GREG HEARTSILL  
JAKE HIGHFILL  
VICKI LENSING

CONFERENCE COMMITTEE REPORT CONSIDERED

[Senate File 2304](#)

Senator Gronstal called up the conference committee report on [Senate File 2304](#), a bill for an act relating to standards for and certification and inspection of children's residential facilities, filed on April 28, 2016, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

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. 2304](#)), the vote was:

Yeas, 47:

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

Breitbach	Guth	Quirnbach	Taylor
Chapman	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zumbach
Danielson	Jochum	Schoenjahn	

Nays, none.

Absent, 3:

Bertrand	Chelgren	Zaun
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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 File 2304](#) be **immediately messaged** to the House.

#### HOUSE AMENDMENT CONSIDERED

#### [Senate File 2109](#)

Senator Gronstal called up for consideration [Senate File 2109](#), a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions, amended by the House in House amendment [S-5107](#), filed March 31, 2016.

Senator Dvorsky moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

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

On the question "Shall the bill pass?" ([S.F. 2109](#)), 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, 21:

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

Absent, 3:

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

The Senate stood at ease at 1:54 p.m. until the fall of the gavel.

The Senate resumed session at 2:36 p.m., President Jochum presiding.

### RECESS

On motion of Senator Gronstal, the Senate recessed at 2:37 p.m. until 5:00 p.m.

### RECONVENED

The Senate reconvened at 5:03 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 28, 2016, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2299](#), a bill for an act relating to the early childhood Iowa initiative.

ALSO: That the House has on April 28, 2016, **adopted** the conference committee report **and passed** [Senate File 2304](#), a bill for an act relating to standards for and certification and inspection of children's residential facilities.

ALSO: That the House has on April 28, 2016, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 492](#), a bill for an act creating a disaster case management grant fund and program. ([S-5181](#))

The Senate stood at ease at 5:04 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 5:59 p.m., President Jochum presiding.

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2327](#).

[Senate File 2327](#)

On motion of Senator Bolckom, [Senate File 2327](#), a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax

exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions, was taken up for consideration.

Senator Bolkcom offered amendment [S-5180](#), filed by him from the floor to pages 4–8 of the bill, and moved its adoption.

Amendment [S-5180](#) was adopted by a voice vote.

Senator Bolkcom asked and received unanimous consent that [House File 2468](#) be **substituted** for [Senate File 2327](#).

### [House File 2468](#)

On motion of Senator Bolkcom, [House File 2468](#), a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions, was taken up for consideration.

Senator Bolkcom offered amendment [S-5183](#), filed by him from the floor to pages 1, 6, 7, and amending the title page of the bill, and moved its adoption.

Amendment [S-5183](#) was adopted by a voice vote.

Senator Bolkcom offered amendment [S-5182](#), filed by him from the floor to pages 4–7 of the bill, and moved its adoption.

Amendment [S-5182](#) was adopted by a voice vote.

Senator Bolkcom 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. 2468](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Bertrand Chelgren

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

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 2468](#) be **immediately messaged** to the House.

#### WITHDRAWN

Senator Bolkcom asked and received unanimous consent that [Senate File 2327](#) be **withdrawn** from further consideration of the Senate.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 6:08 p.m. until 7:30 p.m.

#### RECONVENED

The Senate reconvened at 8:15 p.m., President Jochum presiding.

## RECESS

On motion of Senator Dotzler, the Senate recessed at 8:16 p.m. until the completion of a meeting of the committee on Appropriations.

## RECONVENED

The Senate reconvened at 10:24 p.m., President Jochum presiding.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Feenstra and Kraayenbrink, until they return, 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 2325](#).

[Senate File 2325](#)

On motion of Senator Dotzler, [Senate File 2325](#), a bill for an act amending the sales and use tax exemption for the sale of goods and services furnished in fulfillment of a written construction contract with a nonprofit hospital, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Brase offered amendment [S-5185](#), filed by Senators Brase and Smith 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-5185](#) was adopted by a voice vote.

Senator Dotzler 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. 2325](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

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

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 2325](#) be **immediately messaged** to the House.

The Senate stood at ease at 10:32 p.m. until the fall of the gavel.

The Senate resumed session at 10:54 p.m., President Jochum presiding.

#### ADJOURNMENT

On motion of Senator Dotzler, the Senate adjourned at 10:55 p.m. until 10:00 a.m., Friday, April 29, 2016.

## APPENDIX

### REPORT OF COMMITTEE MEETING

#### APPROPRIATIONS

**Convened:** Thursday, April 28, 2016, 9:00 p.m.

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

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

**Committee Business:** Passed [HF 2432](#), as amended.

**Adjourned:** 9:10 p.m.

### FINAL COMMITTEE REPORT OF BILL ACTION

#### APPROPRIATIONS

**Bill Title:** [HOUSE FILE 2432](#), a bill for an act relating to salaries and apportionment of judicial officers and including effective date provisions.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5184](#).

**Final Vote:** Ayes, 13: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Mathis, McCoy, Ragan, Schoenjahn, and Wilhelm. Nays, 7: Chapman, Garrett, Kapucian, Rozenboom, Schneider, Segebart, and Zumbach. Absent, 1: Kraayenbrink.

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

### MOTION TO RECONSIDER FILED

MADAM PRESIDENT, I move to reconsider the vote by which [Senate File 2109](#) passed the Senate on Thursday, April 28, 2016.

ROBERT E. DVORSKY

### AMENDMENTS FILED

<a href="#">S-5180</a>	<a href="#">S.F. 2327</a>	Joe Bolkcom
<a href="#">S-5181</a>	<a href="#">S.F. 492</a>	House
<a href="#">S-5182</a>	<a href="#">H.F. 2468</a>	Joe Bolkcom
<a href="#">S-5183</a>	<a href="#">H.F. 2468</a>	Joe Bolkcom
<a href="#">S-5184</a>	<a href="#">H.F. 2432</a>	Appropriations
<a href="#">S-5185</a>	<a href="#">S.F. 2325</a>	Chris Brase Roby Smith