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**STATE OF IOWA**

**Senate Journal**

**MONDAY, APRIL 13, 2015**

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# JOURNAL OF THE SENATE

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NINETY-SECOND CALENDAR DAY  
FIFTY-FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, April 13, 2015

The Senate met in regular session at 1:08 p.m., President Jochum presiding.

Prayer was offered by Monsignor Drake Shafer of St. Anne's Catholic Church in Long Grove, Iowa. He was the guest of Senator Hart.

## PLEDGE OF ALLEGIANCE

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

The Journal of Thursday, April 9, 2015, was approved.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 1:12 p.m. until the fall of the gavel.

## RECONVENED

The Senate reconvened at 2:13 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, 2015, **adopted** the following resolution in which the concurrence of the Senate is asked:

**House Concurrent Resolution 8**, a concurrent resolution relating to Pioneer Lawmakers.

Read first time and **placed on calendar**.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

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

CONSIDERATION OF BILLS  
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 488](#) and House Files 287 and 414.

[Senate File 488](#)

On motion of Senator Bolkcom, [Senate File 488](#), a bill for an act relating to air quality, by providing for the establishment, assessment, and collection of fees, establishing a fund, and making appropriations, placed on the Unfinished Business Calendar on April 2, 2015, was taken up for consideration.

Senator Bolkcom offered amendment [S-3115](#), filed by him on April 9, 2015, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-3115](#) 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?" ([S.F. 488](#)), the vote was:

Yeas, 41:

Allen	Dearden	Kapucian	Schultz
Anderson	Dix	Kinney	Segebart
Bisignano	Dotzler	Kraayenbrink	Seng
Bolkcom	Dvorsky	Mathis	Shipley
Bowman	Feenstra	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Hart	Quirnbach	Taylor
Chapman	Hogg	Ragan	Wilhelm

Costello	Horn	Rozenboom
Courtney	Jochum	Schneider
Danielson	Johnson	Schoenjahn

Nays, 6:

Behn	Guth	Whitver
Garrett	Sinclair	Zaun

Absent, 3:

Bertrand	Chelgren	Zumbach
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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.

### [House File 287](#)

On motion of Senator Dearden, [House File 287](#), a bill for an act relating to counterfeit, nonfunctional, or unsafe air bags, providing penalties, and including effective date provisions, placed on the Unfinished Business Calendar on April 9, 2015, with report of committee recommending passage, was taken up for consideration.

Senator Dearden 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. 287](#)), 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	Zaun
Danielson	Jochum	Schoenjahn	

Nays, none.

Absent, 3:

Bertrand            Chelgren            Zumbach

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

### House File 414

On motion of Senator Hart, [House File 414](#), a bill for an act requiring disclosures by private providers of veterans benefits services and including penalties, placed on the Unfinished Business Calendar on April 9, 2015, with report of committee recommending passage, was taken up for consideration.

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?" ([H.F. 414](#)), 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	Zaun
Danielson	Jochum	Schoenjahn	

Nays, none.

Absent, 3:

Bertrand            Chelgren            Zumbach

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

## HOUSE AMENDMENTS CONSIDERED

[Senate File 335](#)

Senator Gronstal called up for consideration [Senate File 335](#), a bill for an act relating to the release of certain information to a procurement organization, amended by the House in House amendment [S-3116](#), filed April 9, 2015.

Senator Mathis 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 Mathis 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. 335](#)), 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	Zaun
Danielson	Jochum	Schoenjahn	

Nays, none.

Absent, 3:

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

[Senate File 167](#)

Senator Bisignano called up for consideration [Senate File 167](#), a bill for an act related to the compensation of elective county officers, amended by the House in House amendment [S-3112](#), filed April 7, 2015.

Senator Bisignano 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 Bisignano 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. 167](#)), the vote was:

Yeas, 46:

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

Nays, 1:

Dearden

Absent, 3:

Bertrand	Chelgren	Zumbach
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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 Files 167, 335, and 488** and **House Files 287 and 414** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House Concurrent Resolution 8](#).

[House Concurrent Resolution 8](#)

On motion of Senator Gronstal, [House Concurrent Resolution 8](#), a concurrent resolution relating to Pioneer Lawmakers, was taken up for consideration.

Senator Gronstal moved the adoption of [House Concurrent Resolution 8](#), which motion prevailed by a voice vote.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House Concurrent Resolution 8](#) be **immediately messaged** to the House.

## 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:

Thomas Bernau, Iowa Capital Investment Board

Patricia Lipski, Iowa State Civil Rights Commission

JoAnn Johnson, Superintendent of Credit Unions

Steven Kury, Board of Dietetics

Brook Rosenberg, Early Childhood Iowa State Board

Marvin Schumacher, Elevator Safety Board



Amy Skinner, Health Facilities Council

Dennis Schemmel, Natural Resource Commission

Christine Bean, Iowa Board of Veterinary Medicine

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

On the question "Shall the appointees be confirmed?" 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	Zaun
Danielson	Jochum	Schoenjahn	

Nays, none.

Absent, 3:

Bertrand	Chelgren	Zumbach
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The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

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

Senator Gronstal called up the appointment of Mary Cownie as the Director of the Department of Cultural Affairs, placed on the Individual Confirmation Calendar on March 24, 2015, found on page 699 of the Senate Journal.

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

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

Yeas, 47:

Allen	Dearden	Johnson	Schultz
Anderson	Dix	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
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	

Nays, none.

Absent, 3:

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

Senator Gronstal called up the appointment of Courtney Kay-Decker as the Director of Revenue, placed on the Individual Confirmation Calendar on March 31, 2015, found on page 757 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, 47:

Allen	Dearden	Johnson	Schultz
Anderson	Dix	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
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	

Nays, none.

Absent, 3:

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

Senator Gronstal called up the appointment of Geri Huser as Chair and a member of the Utilities Board, placed on the Individual Confirmation Calendar on April 6, 2015, found on page 782 of the Senate Journal.

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

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

Yeas, 43:

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

Nays, 4:

Courtney	Dearden	Quirnbach	Taylor
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Absent, 3:

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

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:50 p.m. until 9:00 a.m., Tuesday, April 14, 2015.

## APPENDIX

### COMMUNICATION RECEIVED

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

#### AUDITOR OF STATE

Independent Audit Report Schedule of Expenditures of Federal Awards for FY ended June 30, 2014, pursuant to Iowa Code section 11.4. Report received on April 13, 2015.

### CERTIFICATE OF RECOGNITION

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

Lu Matthey, Sergeant Bluff—For her many years of service to Iowa Farm Bureau and Iowa Agriculture. Senator Anderson.

### REPORT OF COMMITTEE MEETING

#### RULES AND ADMINISTRATION

**Convened:** Monday, April 13, 2015, 1:15 p.m.

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

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

**Committee Business:** Governor's appointees.

**Adjourned:** 1:20 p.m.

### INTRODUCTION OF BILL

[Senate File 489](#), by committee on Ways and Means, a bill for an act relating to underground storage tanks, including by establishing an underground storage tank cost share grant program and fund, making an appropriation, and extending the environmental protection surcharge.

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

## FINAL COMMITTEE REPORT OF BILL ACTION

### WAYS AND MEANS

**Bill Title:** \*[SENATE FILE 489](#), a bill for an act relating to underground storage tanks, including by establishing an underground storage tank cost share grant program and fund, making an appropriation, and extending the environmental protection surcharge.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Bolkcom, Allen, Feenstra, Anderson, Breitbach, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schultz, and Seng. Nays, 2: Behn and Smith. Absent, 1: Dotzler.

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

### BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 10, 2015, the Governor approved and transmitted to the Secretary of State the following bill:

[Senate File 227](#) – Relating to the school start date and to exception and penalty provisions and including effective date provisions.

### APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

#### BY THE GOVERNOR

#### TERM

HEALTH FACILITIES COUNCIL (Sec. 135.62)

Roger Thomas, Elkader

05/01/2015 – 04/30/2021

REAL ESTATE APPRAISER EXAMINING BOARD (Sec. 543D.4)

Robert Felderman, Dubuque

03/27/2015 – 04/30/2016

The appointments were referred to the committee on **Rules and Administration**.

REPORT OF THE COMMITTEE ON  
RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on April 13, 2015:

**HUMAN RESOURCES**

Roger Thomas – Health Facilities Council

**STATE GOVERNMENT**

Robert Felderman – Real Estate Appraiser Examining Board

**AMENDMENTS FILED**

<a href="#">S-3118</a>	<a href="#">S.F. 406</a>	Dick L. Dearden
<a href="#">S-3119</a>	<a href="#">H.F. 6</a>	Janet Petersen