PROOF

STATE OF IOWA

Senate Journal

THURSDAY, APRIL 14, 2016

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.)

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY FIFTY-SIXTH SESSION DAY

Senate Chamber Des Moines, Iowa, Thursday, April 14, 2016

The Senate met in regular session at 9:03 a.m., President Jochum presiding.

Prayer was offered by Father Ken Gehling, chaplain of Mercy Medical Center in Mason City, Iowa. He was the guest of Senator Ragan.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Samantha Lofthouse.

The Journal of Wednesday, April 13, 2016, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:10 a.m. until 12:00 p.m.

RECONVENED

The Senate reconvened at 11:58 a.m., President Jochum presiding.

The Senate stood at ease at 11:59 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 12:41 p.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

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

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration <u>Senate File 2157</u>.

Senate File 2157

On motion of Senator Danielson, <u>Senate File 2157</u>, a bill for an act relating to elections administration with respect to the address confidentiality program, satellite absentee voting, and the conduct of school district elections, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Danielson offered amendment <u>S-5005</u>, filed by him on February 11, 2016, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment $\underline{S-5005}$ was adopted by a voice vote.

Senator Danielson asked and received unanimous consent that <u>House File 2273</u> be substituted for <u>Senate File 2157</u>.

House File 2273

On motion of Senator Danielson, <u>House File 2273</u>, a bill for an act relating to elections administration with respect to the address confidentiality program, satellite absentee voting, and the conduct of school district elections, was taken up for consideration.

Senator Danielson withdrew amendment <u>S-5127</u>, filed by him from the floor to pages 1 and 5 and amending the title page of the bill.

95th Day

Senator Danielson offered amendment <u>S-5128</u>, filed by him from the floor to pages 1 and 5 and amending the title page of the bill, and moved its adoption.

Amendment <u>S-5128</u> was adopted by a voice vote.

Senator Danielson 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. 2273), the vote was:

Yeas, 46:

Allen Anderson Bisignano Bolkcom Bowman Brase Breitbach Chapman Costello Courtney Danielson Dearden Nays, none. Absent, 4:	Dix Dotzler Dvorsky Feenstra Garrett Gronstal Guth Hart Hogg Horn Jochum Johnson	Kapucian Kinney Kraayenbrink Mathis McCoy Petersen Quirmbach Ragan Rozenboom Schneider Schoenjahn Schultz	Segebart Seng Shipley Sinclair Smith Sodders Taylor Whitver Wilhelm Zaun
Behn	Bertrand	Chelgren	Zumbach

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 2273 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:

Emily Forquer, Architectural Examining Board

Peggy La, Commission of Asian and Pacific Islander Affairs

Christopher Kamm, Board of Athletic Training

James Curry, Iowa Autism Council

Valerie Felton, Board of Barbering

Sarah Thomas, Board of Behavioral Science

Dr. Jason Wall, Board of Chiropractic

Scott Zahnle, Credit Union Review Board

Joe Hickey, Commissions of Persons with Disabilities

Michael Knedler, State Board of Education

Carole Tillotson, Iowa Ethics and Campaign Disclosure Board John Walsh, Iowa Ethics and Campaign Disclosure Board

Monica Bieri, Iowa Grain Indemnity Fund Board

Barbara Determan, Iowa Great Places Board Emily Meyer, Iowa Great Places Board

Juan Rodriguez, Commission of Latino Affairs

Rebecca Peterson, Mental Health and Disability Services

Commission Marilyn Seemann, Mental Health and Disability Services Commission

Kimberly Doehrmann, Board of Mortuary Science

N. Kurt Mumm, Jr., Iowa Comprehensive Petroleum Underground Storage Tank Fund Board

Stephanie Kelsick, Board of Physical and Occupational Therapy

Brandon Butters, Board of Respiratory Care

Gina Primmer, School Budget Review Committee

Jody Weigel, Board of Social Work

Dennis Carlson, State Soil Conservation Committee

Jacqueline Pullen, Technology Advisory Council

Eric Bookmeyer, Vision Iowa Board

Melissa Thompson, Commission on Community Action Agencies

Mary Ellen Kimball, Board of Trustees of the Iowa Cultural Trust

Jennifer Keaton, Commission of Deaf Services

Eric Seuren, Renewable Fuel Infrastructure Board

Susan Tyrrell, 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, 46:

Allen Anderson Bisignano Bolkcom Bowman Brase Breitbach Chapman Costello Courtney	Dix Dotzler Dvorsky Feenstra Garrett Gronstal Guth Hart Hogg Horn	Kapucian Kinney Kraayenbrink Mathis McCoy Petersen Quirmbach Ragan Rozenboom Schneider	Segebart Seng Shipley Sinclair Smith Sodders Taylor Whitver Wilhelm Zaun
Danielson Dearden	Jochum Johnson	Schoenjahn Schultz	
Nays, none.			
Absent, 4:			
Behn	Bertrand	Chelgren	Zumbach

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

WITHDRAWN

Senator Danielson asked and received unanimous consent that **Senate File 2157** be **withdrawn** from further consideration of the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Helen Sinclair as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on March 29, 2016, found on page 605 of the Senate Journal.

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

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

Yeas, 46:

Allen Anderson Bisignano Bolkcom Bowman Brase Breitbach Chapman Costello Courtney Danielson Dearden	Dix Dotzler Dvorsky Feenstra Garrett Gronstal Guth Hart Hogg Horn Jochum Johum	Kapucian Kinney Kraayenbrink Mathis McCoy Petersen Quirmbach Ragan Rozenboom Schneider Schoenjahn Schultz	Segebart Seng Shipley Sinclair Smith Sodders Taylor Whitver Wilhelm Zaun
Nays, none. Absent, 4: Behn	Bertrand	Chelgren	Zumbach

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

Senator Gronstal called up the appointment of Steve Sukup as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on March 29, 2016, found on page 605 of the Senate Journal.

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

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

Yeas, 46:

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

Nays, none.

Absent, 4:

Behn

Bertrand Chelgren

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

Zumbach

Senator Gronstal called up the appointment of Dr. Christina Taylor as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on March 29, 2016, found on page 605 of the Senate Journal.

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

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

Yeas, 46:

Allen	Dix	Kapucian	Segebart
Anderson	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley

Bolkcom Bowman Brase Breitbach Chapman Costello Courtney Danielson	Feenstra Garrett Gronstal Guth Hart Hogg Horn Jochum	Mathis McCoy Petersen Quirmbach Ragan Rozenboom Schneider Scheeniahn	Sinclair Smith Sodders Taylor Whitver Wilhelm Zaun
Danielson Dearden	Jochum Johnson	Schoenjahn Schultz	
Nays, none.			

Absent, 4:

Behn Bertrand Chel	gren Zumbach
--------------------	--------------

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

Senator Gronstal called up the appointment of Dr. Ryan Wise as Director of the Department of Education, placed on the Individual Confirmation Calendar on February 23, 2016, found on page 345 of the Senate Journal.

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

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

Yeas, 42:

Allen Anderson Bisignano Bolkcom Bowman Brase Breitbach Costello Courtney Danielson Dearden	Dix Dotzler Feenstra Garrett Gronstal Guth Hart Hogg Horn Jochum Johnson	Kapucian Kraayenbrink Mathis McCoy Petersen Quirmbach Ragan Rozenboom Schneider Schoenjahn Schultz	Segebart Seng Shipley Sinclair Smith Sodders Taylor Whitver Wilhelm
Dearden Nays, 4: Chapman	Johnson Dvorsky	Schultz Kinney	Zaun

700

Zumbach

Absent, 4:

Behn

Bertrand Chelgren

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

Senator Gronstal called up the appointment of Dr. Mariannette Miller-Meeks as a member of the Healthy and Well Kids in Iowa (HAWK-I) Board, placed on the Individual Confirmation Calendar on March 23, 2016, found on page 594 of the Senate Journal.

Senator Ragan moved that the foregoing appointment not be confirmed by the Senate.

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

Yeas, 28:

Allen	Dix	Kapucian	Segebart
Anderson	Feenstra	Kinney	Shipley
Breitbach	Garrett	Kraayenbrink	Sinclair
Chapman	Guth	McCoy	Smith
Costello	Hogg	Rozenboom	Sodders
Courtney	Horn	Schneider	Whitver
Danielson	Johnson	Schultz	Zaun
Nays, 18: Bisignano Bolkcom Bowman Brase Dearden Absent, 4:	Dotzler Dvorsky Gronstal Hart Jochum	Mathis Petersen Quirmbach Ragan Schoenjahn	Seng Taylor Wilhelm

Behn Bertrand

Chelgren Zumbach

The appointee, having failed to receive a two-thirds vote, was declared to have failed to be confirmed by the Senate.

Senator Gronstal called up the appointment of Robert S. von Wolffradt as Chief Information Officer, placed on the Individual Confirmation Calendar on March 23, 2016, found on page 594 of the Senate Journal. Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

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

Yeas, 46:

Allen	Dix	Kapucian	Segebart
Anderson	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirmbach	Taylor
Chapman	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zaun
Danielson	Jochum	Schoenjahn	
Dearden	Johnson	Schultz	
Nays, none.			

Absent, 4:

Behn	Bertrand	Chelgren	Zumbach

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 1:31 p.m. until 8:30 a.m., Friday, April 15, 2016.

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

Report of Recommendations to UNI—eBusiness Payroll and Human Resources System, pursuant to Iowa Code section 11.4. Report received on April 14, 2016.

CERTIFICATE OF RECOGNITION

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

Jacob Hutchins, Cedar Rapids—For achieving the rank of Eagle Scout, Troop #29. Senator Horn.

REPORTS OF COMMITTEE MEETINGS

WAYS AND MEANS

Convened: Thursday, April 14, 2016, 11:10 a.m.

Members Present: Bolkcom, Chair; Allen, Vice Chair; Feenstra, Ranking Member; Anderson, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith.

Members Absent: Behn (excused).

Committee Business: Passed SFs 483, 2033, and 2236; and passed HF 2445.

Adjourned: 11:50 a.m.

ADMINISTRATION AND REGULATION APPROPRIATIONS SUBCOMMITTEE

Convened: Thursday, April 14, 2016, 8:35 a.m.

Members Present: Brase, Chair; Danielson, Vice Chair; Zumbach, Ranking Member; Allen, and Guth.

Members Absent: None.

Committee Business: Bill discussion.

Adjourned: 9:05 a.m.

INTRODUCTION OF RESOLUTIONS

<u>Senate Resolution 113</u>, by committee on Rules and Administration, a resolution deferring action on the confirmation of certain appointments submitted by the Governor.

Read first time under Rule 28 and placed on calendar.

Senate Resolution 114, by Chelgren, Zaun, Schultz, Rozenboom, and Schneider, a resolution urging Congress and the President of the United States to reclassify cannabis as a schedule II controlled substance under the United States Controlled Substances Act to facilitate research and testing on the potential benefits of medical cannabis.

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

INTRODUCTION OF BILLS

Senate File 2313, by committee on Appropriations, a bill for an act relating to employment services programs administered by the department of workforce development by providing for conformity with federal law concerning the workforce development board, authorizing the department to carry out certain actions relating to the unemployment insurance program, making an appropriation, and including effective date provisions.

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

Senate File 2314, by committee on Appropriations, a bill for an act 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 and retroactive applicability provisions.

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

Senate File 2315, 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, and including effective date provisions.

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

<u>Senate File 2316</u>, by committee on Appropriations, a bill for an act relating to the collection of delinquent court debt and associated installment agreements.

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

Senate File 2317, by committee on Ways and Means, a bill for an act exempting from the sales tax certain items and services sold to a nonprofit human blood collection and processing establishment, including effective date and retroactive applicability provisions.

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

Senate File 2318, by committee on Ways and Means, a bill for an act relating to county funding of mental health and disability services and the mental health and disability services property tax levy and including effective date provisions.

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

Senate File 2319, by committee on Ways and Means, a bill for an act relating to an alternative fuel vehicle facility income tax credit and including applicability provisions.

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

SUBCOMMITTEE ASSIGNMENT

House File 2451

APPROPRIATIONS: Dvorsky, Chair; Kraayenbrink and McCoy

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *SENATE FILE 2313 (SSB 3176), a bill for an act relating to employment services programs administered by the department of workforce development by providing for conformity with federal law concerning the workforce development board, authorizing the department to carry out certain actions relating to the unemployment insurance program, making an appropriation, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach. Nays, 1: Chapman. 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 <u>Senate File 2313</u>, and they were attached to the committee report.

ALSO:

Bill Title: *<u>SENATE FILE 2314</u>, a bill for an act 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 and retroactive 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, 7: Chapman, Garrett, Kapucian, Kraayenbrink, Rozenboom, Schneider, and Segebart. Absent, 1: 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 <u>Senate File 2314</u>, and they were attached to the committee report.

ALSO:

Bill Title: *<u>SENATE FILE 2315</u> (<u>SSB 3184</u>), a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Kapucian, Mathis, McCoy, Ragan, Rozenboom, Schoenjahn, Segebart, and Wilhelm. Nays, 4: Chapman, Garrett, Kraayenbrink, and Schneider. Absent, 1: 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 <u>Senate File 2315</u>, and they were attached to the committee report.

ALSO:

Bill Title: *<u>SENATE FILE 2316</u> (<u>SSB 3182</u>), a bill for an act relating to the collection of delinquent court debt and associated installment agreements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Dvorsky, Danielson, Chapman, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, and Wilhelm. Nays, None. Absent, 1: 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 <u>Senate File 2313</u>, and they were attached to the committee report.

WAYS AND MEANS

Bill Title: *SENATE FILE 2317 (formerly SF 2033), a bill for an act exempting from the sales tax certain items and services sold to a nonprofit human blood collection and processing establishment, including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: Behn.

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 <u>Senate File 2317</u>, and they were attached to the committee report.

ALSO:

Bill Title: *<u>SENATE FILE 2318</u> (formerly <u>SF 2236</u>), a bill for an act relating to county funding of mental health and disability services and the mental health and disability services property tax levy and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: Behn.

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 <u>Senate File 2318</u>, and they were attached to the committee report.

ALSO:

Bill Title: *<u>SENATE FILE 2319</u> (formerly <u>SF 483</u>), a bill for an act relating to an alternative fuel vehicle facility income tax credit and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: Behn.

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 <u>Senate File 2318</u>, and they were attached to the committee report.

ALSO:

Bill Title: <u>HOUSE FILE 2445</u>, a bill for an act excluding certain promotional play receipts from the definition of adjusted gross receipts for purposes of the wagering tax on gambling games and relating to other matters involving gambling games regulation.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Allen, Feenstra, Anderson, Breitbach, Dotzler, Jochum, McCoy, Petersen, Schultz, Seng, and Smith. Nays, 3: Bolkcom, Hogg, and Quirmbach. Absent, 1: Behn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 14, 2016, the Governor approved and transmitted to the Secretary of State the following bill:

<u>Senate File 2219</u> – Requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions.

AMENDMENTS FILED

S - 5127	<u>H.F.</u>	2273	Jeff Danielson
<u>S–5128</u>	<u>H.F.</u>	2273	Jeff Danielson
<u>S–5129</u>	<u>S.F.</u>	2312	William A. Dotzler, Jr.