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**STATE OF IOWA**

**Senate Journal**

**FRIDAY, APRIL 22, 2016**

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# JOURNAL OF THE SENATE

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ONE HUNDRED THIRD CALENDAR DAY  
SIXTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, April 22, 2016

The Senate met in regular session at 9:08 a.m., President Jochum presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Emily Turek.

The Journal of Thursday, April 21, 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 21, 2016, **passed** the following bill in which the concurrence of the House was asked:

[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.

ALSO: That the House has on April 21, 2016, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

[House File 2439](#), a bill for an act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council.

[House File 2443](#), a bill for an act relating to the programs and duties of the economic development authority by making changes relative to the use of life cycle cost analyses, by making technical changes related to the high quality jobs program, by making changes relative to authority assistance for certain federal small business programs, by allowing counties, cities, and the authority to amend certain economic development enterprise zones agreements, and by making changes to the historic preservation and cultural and entertainment district tax credit, including transferring administrative oversight of the tax credit from the department of cultural affairs to the economic development authority, and including effective date provisions.

ALSO: That the House has on April 21, 2016, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 2187](#), a bill for an act relating to the issuance of driver's licenses marked to reflect veteran status. ([S-5163](#))

[Senate File 2320](#), a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, the state aviation fund, and the federal surface transportation block grant program. ([S-5162](#))

[Senate File 2323](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective and applicability date provisions. ([S-5161](#))

ALSO: That the House has on April 21, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2452](#), a bill for an act creating a geothermal tax credit available against the individual income tax and including effective date and applicability provisions.

Read first time and referred to committee on **Ways and Means**.

[House File 2456](#), a bill for an act relating to county levy authority for mental health and disability services funding.

Read first time and referred to committee on **Ways and Means**.

The Senate stood at ease at 9:15 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:47 a.m., President Jochum presiding.

HOUSE AMENDMENT TO  
SENATE AMENDMENT CONSIDERED

[House File 2394](#)

Senator Gronstal called up for consideration [House File 2394](#), a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties, amended by the Senate and further amended by the House in House amendment [S-5155](#) to Senate amendment [H-8197](#), filed April 21, 2016.

Senator Allen moved that the Senate concur in the House amendment to the Senate amendment.

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

Senator Allen moved that the bill, as amended by the Senate, further 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?" ([H.F. 2394](#)), 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.

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2446](#).

[House File 2446](#)

On motion of Senator Allen, [House File 2446](#), a bill for an act relating to county medical examiner fees, with report of committee recommending passage, was taken up for consideration.

Senator Allen 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. 2446](#)), 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.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2394** and **2446** be **immediately messaged** to the House.

#### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2326](#).

#### [Senate File 2326](#)

On motion of Senator Danielson, [Senate File 2326](#), a bill for an act relating to the funding of the statewide interoperable communications system and the expenditure of moneys from the E911 emergency communications fund, was taken up for consideration.

Senator Danielson withdrew amendment [S-5156](#), filed by him on April 21, 2016, to page 1 of the bill.

Senator Danielson withdrew amendment [S-5165](#), filed by him from the floor, to pages 1-2 of the bill.

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?" ([S.F. 2326](#)), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	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, 1:

Bisignano

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 2326](#) be **immediately messaged** to the House.

#### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2459](#).

#### [House File 2459](#)

On motion of Senator Dvorsky, [House File 2459](#), a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

The Senate stood at ease at 11:16 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 11:32 a.m., President Jochum presiding.

Senator Dvorsky offered amendment [S-5157](#), filed by the committee on Appropriations on April 21, 2016, striking and replacing everything after the enacting clause of the bill.

Senator Whitver offered amendment [S-5169](#), filed by Senators Whitver, Zaun, and Schneider from the floor to page 1 of amendment [S-5157](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5169](#) to amendment [S-5154](#) be adopted?” ([H.F. 2459](#)), the vote was:

Yeas, 25:

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

Nays, 25:

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

Absent, none.

Amendment [S-5169](#) to amendment [S-5157](#) lost.

Senator Chelgren offered amendment [S-5171](#), filed by him from the floor to page 7 of amendment [S-5157](#).



Senator Dvorsky raised the point of order that amendment [S-5171](#) to amendment [S-5157](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5171](#) out of order.

Senator Bertrand offered amendment [S-5168](#), filed by Senator Bertrand, et al., from the floor to pages 8 and 9 and amending the title page of amendment [S-5157](#).

Senator Dvorsky raised the point of order that amendment [S-5168](#) to amendment [S-5157](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5168](#) out of order.

Senator Johnson offered amendment [S-5159](#), filed by him from the floor to page 20 of amendment [S-5157](#).

Senator Dvorsky raised the point of order that amendment [S-5159](#) to amendment [S-5157](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5159](#) out of order.

Senator Dvorsky withdrew amendment [S-5160](#), filed by him from the floor to page 20 of amendment [S-5157](#).

Senator Zaun offered amendment [S-5167](#), filed by Senator Zaun, et al., from the floor to page 20 of amendment [S-5157](#).

Senator Dvorsky raised the point of order that amendment [S-5167](#) to amendment [S-5157](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5167](#) out of order.

Senator Chelgren offered amendment [S-5170](#), filed by him from the floor to page 20 of amendment [S-5157](#).

Senator Dvorsky raised the point of order that amendment [S-5170](#) to amendment [S-5157](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5170](#) out of order.

Senator Dvorsky moved the adoption of amendment [S-5157](#).

Amendment [S-5157](#) was adopted by a voice vote.

Senator Dvorsky 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. 2459](#)), 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	Shiple
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 [House File 2459](#) be **immediately messaged** to the House.

UNFINISHED BUSINESS  
(Deferred April 21, 2016)

[House File 2458](#)

The Senate resumed consideration of [House File 2458](#), a bill for an act relating to appropriations to the justice system, and amendment [S-5154](#), deferred April 21, 2016.

Senator Courtney withdrew amendment [S-5154](#), filed by him on April 21, 2016, to pages 3, 8–10, and 18 of the bill.

Senator Courtney offered amendment [S-5173](#), filed by him from the floor to pages 3, 8–10, 18, and 22 of the bill, and moved its adoption.

Amendment [S-5173](#) was adopted by a voice vote.

Senator Courtney 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. 2458](#)), 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.

## WITHDRAWN

Senator Courtney asked and received unanimous consent that [Senate File 2322](#) be **withdrawn** from further consideration of the Senate.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 2458](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL  
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2460](#).

[House File 2460](#)

On motion of Senator Ragan, [House File 2460](#), a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Ragan offered amendment [S-5158](#), filed by the committee on Appropriations on April 21, 2016, striking and replacing everything after the enacting clause of the bill.

Senator Rozenboom offered amendment [S-5172](#), filed by Senator Rozenboom, et al., from the floor to pages 38, 41-42, 47, 49, and 93 of amendment [S-5158](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5172](#) to amendment [S-5158](#) be adopted?" ([H.F. 2460](#)), the vote was:

Yeas, 25:

Anderson	Dix	Rozenboom	Smith
Behn	Feenstra	Schneider	Whitver
Bertrand	Garrett	Schultz	Zaun
Breitbach	Guth	Segebart	Zumbach

Chapman	Johnson	Seng
Chelgren	Kapucian	Shipley
Costello	Kraayenbrink	Sinclair

Nays, 25:

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

Absent, none.

Amendment [S-5172](#) to amendment [S-5158](#) lost.

Senator Ragan offered amendment [S-5164](#), filed by her from the floor to page 89 of amendment [S-5158](#), and moved its adoption.

Amendment [S-5164](#) to amendment [S-5158](#) was adopted by a voice vote.

Senator Petersen offered amendment [S-5166](#), filed by her from the floor to page 113 of amendment [S-5158](#), and moved its adoption.

Amendment [S-5166](#) to amendment [S-5158](#) was adopted by a voice vote.

Senator Ragan moved the adoption of amendment [S-5158](#), as amended.

Amendment [S-5158](#) was adopted by a voice vote.

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?" ([H.F. 2460](#)), the vote was:

Yeas, 27:

Allen	Dearden	Horn	Ragan
Bisignano	Dix	Jochum	Schoenjahn
Bolkcom	Dotzler	Kinney	Seng

Bowman	Dvorsky	Mathis	Sodders
Brase	Gronstal	McCoy	Taylor
Courtney	Hart	Petersen	Wilhelm
Danielson	Hogg	Quirnbach	

Nays, 23:

Anderson	Costello	Kraayenbrink	Sinclair
Behn	Feenstra	Rozenboom	Smith
Bertrand	Garrett	Schneider	Whitver
Breitbach	Guth	Schultz	Zaun
Chapman	Johnson	Segebart	Zumbach
Chelgren	Kapucian	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 [House File 2460](#) be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:29 p.m. until 1:00 p.m., Monday, April 25, 2016.

## APPENDIX

### CERTIFICATE OF RECOGNITION

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

Hardacre Theater, Tipton—For celebrating their 100<sup>th</sup> anniversary. Senator Dvorsky.

### STUDY BILL RECEIVED

#### SSB 3190      **Ways and Means**

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 applicability provisions.

### SUBCOMMITTEE ASSIGNMENT

#### SSB 3190

WAYS AND MEANS: Bolkcom, Chair; Allen and Feenstra

### EXPLANATION OF VOTE

MADAM PRESIDENT: I was present in the Senate Chamber on Friday, April 22, 2016, when the vote was taken on [House File 2460](#). I was present and I voted “Yea.” My vote yea represented an inadvertent and accidental use of the green button (Yea), when in fact I had intended to utilize the red button (Nay) in the vote. The President of the Senate had closed the voting system prior to my being able to change my vote. Let it herein be noted that I was not in favor of final passage of [House File 2460](#).

BILL DIX

### AMENDMENTS FILED

<u>S-5159</u>	<u>H.F. 2459</u>	David Johnson
<u>S-5160</u>	<u>H.F. 2459</u>	Robert E. Dvorsky

<a href="#">S-5161</a>	<a href="#">S.F. 2323</a>	House
<a href="#">S-5162</a>	<a href="#">S.F. 2320</a>	House
<a href="#">S-5163</a>	<a href="#">S.F. 2187</a>	House
<a href="#">S-5164</a>	<a href="#">H.F. 2460</a>	Amanda Ragan
<a href="#">S-5165</a>	<a href="#">S.F. 2326</a>	Jeff Danielson
<a href="#">S-5166</a>	<a href="#">H.F. 2460</a>	Janet Petersen
<a href="#">S-5167</a>	<a href="#">H.F. 2459</a>	Brad Zaun
		David Johnson
		Mark Segebart
		Ken Rozenboom
		Mark Chelgren
		Michael Breitbach
		Jack Whitver
		Jerry Behn
		Amy Sinclair
		Mark Costello
		Charles Schneider
		Julian B. Garrett
		Jason Schultz
		Dennis Guth
		Randy Feenstra
		Bill Anderson
		Jake Chapman
		Rick Bertrand
		Tom Shipley
<a href="#">S-5168</a>	<a href="#">H.F. 2459</a>	Rick Bertrand
		Bill Anderson
		Jake Chapman
		Timothy J. Kraayenbrink
		Tim L. Kapucian
		Mark Segebart
		Ken Rozenboom
		Mark Chelgren
		Michael Breitbach
		Jack Whitver
		Jason Schultz
		Amy Sinclair
		Mark Costello
		Dennis Guth
		Brad Zaun
		Roby Smith



<a href="#">S-5169</a>	<a href="#">H.F. 2459</a>	Tom Shipley Charles Schneider Jack Whitver Brad Zaun Charles Schneider
<a href="#">S-5170</a>	<a href="#">H.F. 2459</a>	Mark Chelgren
<a href="#">S-5171</a>	<a href="#">H.F. 2459</a>	Mark Chelgren
<a href="#">S-5172</a>	<a href="#">H.F. 2460</a>	Ken Rozenboom Mark Segebart Jake Chapman Dennis Guth Amy Sinclair David Johnson Jason Schultz Randy Feenstra
<a href="#">S-5173</a>	<a href="#">H.F. 2458</a>	Thomas G. Courtney