

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, MARCH 31, 2015

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JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 31, 2015

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

Prayer was offered by Reverend Perry Fruhling of St. Mark's Faith and Life Center in Marion, Iowa. He was the guest of Senator Mathis.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Claire Eide.

The Journal of Monday, March 30, 2015, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Arlen Ciechanowski, the governor's appointee to be Director of the Law Enforcement Academy. He was the guest of Senators Schneider and Soddors and the committee on Judiciary.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 24](#).

[Senate Resolution 24](#)

On motion of Senator Dvorsky, [Senate Resolution 24](#), a resolution honoring Dr. Sally Mason and her outstanding achievements as President of the University of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Dvorsky moved the adoption of [Senate Resolution 24](#), which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Dvorsky introduced to the Senate chamber Dr. Sally Mason who addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

MOTIONS TO RECONSIDER WITHDRAWN

[Senate File 227](#)

Senator Gronstal withdrew the motions to reconsider [Senate File 227](#), a bill for an act relating to the school start date and eliminating waiver and penalty provisions, and amendment [S-3068](#), filed by him on March 25, 2015, found on page 715 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 227](#) be **immediately messaged** to the House.

The Senate stood at ease at 9:29 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:53 a.m., President Jochum presiding.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 424](#).

[Senate File 424](#)

On motion of Senator Kraayenbrink, [Senate File 424](#), a bill for an act relating to lighted lamps on bicycles and bicycle riders, and including effective date provisions, was taken up for consideration.

Senator Kraayenbrink 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. 424](#)), the vote was:

Yeas, 45:

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

Nays, 5:

Chapman	Schultz	Zaun
Schneider	Whitver	

Absent, none.

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

UNFINISHED BUSINESS
(Deferred March 30, 2015)

[Senate File 345](#)

The Senate resumed consideration of [Senate File 345](#), a bill for an act relating to state and school antiharassment and antibullying policies, providing for training for school personnel, establishing a bullying and violence prevention student mentoring pilot program, and providing for a school climate and bullying work group, deferred March 30, 2015.

Senator Bisignano withdrew amendment [S-3080](#), filed by him on March 30, 2015, to page 2 of the bill.

Senator Hogg offered amendment [S-3084](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-3084](#) was adopted by a voice vote.

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

Yeas, 43:

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

Nays, 7:

Anderson	Garrett	Rozenboom	Zaun
Chapman	Guth	Schultz	

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 Files 345** and **424** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred March 10, 2015)

[Senate File 167](#)

The Senate resumed consideration of [Senate File 167](#), a bill for an act related to the compensation of elective county officers, deferred March 10, 2015.

Senator Hart called up the following motion to reconsider filed by her from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment [S-3010](#) to [Senate File 167](#) was adopted by the Senate on March 10, 2015.

The motion prevailed by a voice vote and amendment [S-3010](#), by Senators Johnson and Zaun to pages 1–3 of the bill, was taken up for reconsideration.

Senator Bisignano withdrew amendment [S-3076](#), filed by him on March 30, 2015, striking and replacing everything after the enacting clause of the bill.

Senator Bisignano withdrew amendment [S-3077](#), filed by him on March 30, 2015, striking and replacing everything after the enacting clause of the bill.

Senator Bisignano offered amendment [S-3083](#), filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3083](#) be adopted?” ([S.F. 167](#)), the vote was:

Yeas, 42:

Allen	Danielson	Jochum	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	Wilhelm
Breitbach	Hart	Ragan	Zumbach
Costello	Hogg	Rozenboom	
Courtney	Horn	Schoenjahn	

Nays, 8:

Chapman	Guth	Schneider	Whitver
Chelgren	Johnson	Schultz	Zaun

Absent, none.

Amendment [S-3083](#) was adopted.

With the adoption of amendment [S-3083](#), the Chair ruled amendment [S-3010](#), filed by Senators Johnson and Zaun on February 24, 2015, to pages 1–3 of the bill, out of order.

Senator Bisignano 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. 167](#)), 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 [Senate File 167](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 427](#).

[Senate File 427](#)

On motion of Senator Soddors, [Senate File 427](#), a bill for an act relating to the making, transferring, and possession of firearms and suppressors, and providing penalties, was taken up for consideration.

Senator Soddors offered amendment [S-3079](#), filed by him on March 30, 2015, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Soddors asked and received unanimous consent that action on amendment [S-3079](#) and [Senate File 427](#) be **deferred**.

The Senate stood at ease at 11:29 a.m. until the fall of the gavel.

The Senate resumed session at 12:19 p.m., President Jochum presiding.

QUORUM CALL

Senator Gronstal requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent, and a quorum present.

The Senate stood at ease at 12:24 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 12:50 p.m., President Jochum presiding.

BUSINESS PENDING

[Senate File 427](#)

The Senate resumed consideration of [Senate File 427](#), a bill for an act relating to the making, transferring, and possession of firearms and suppressors, and providing penalties, and amendment [S-3079](#), previously deferred.

Senator Schneider offered amendment [S-3085](#), filed by him from the floor to pages 1-15 and amending the title provisions of amendment [S-3079](#).

Senator Schneider asked and received unanimous consent that action on amendment [S-3085](#) to amendment [S-3079](#), amendment [S-3079](#), and [Senate File 427](#) be **deferred**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:55 p.m. until the fall of the gavel.

RECONVENED

The Senate reconvened at 4:19 p.m., President Jochum presiding.

The Senate stood at ease at 4:20 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 4:37 p.m., President Jochum presiding.

BUSINESS PENDING

[Senate File 427](#)

The Senate resumed consideration of [Senate File 427](#), a bill for an act relating to the making, transferring, and possession of firearms and suppressors, and providing penalties, amendment [S-3079](#), and amendment [S-3085](#) to amendment [S-3079](#), previously deferred.

Senator Schneider asked to withdraw amendment [S-3085](#) to amendment [S-3079](#), filed by him from the floor to pages 1–15 of the bill.

The Senate resumed consideration of amendment [S-3079](#), previously deferred.

Senator Schneider raised the point of order that amendment [S-3079](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3079](#) out of order.

([Senate File 427](#) was deferred.)

The Senate stood at ease at 4:40 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:26 p.m., President Jochum presiding.

The Senate resumed consideration of [Senate File 427](#), previously deferred.

Senator Schneider offered amendment [S-3086](#), filed by Senator Schneider, et al., from the floor to pages 1–3 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3086](#) be adopted?” ([S.F. 427](#)), the vote was:

Yeas, 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

Nays, 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	

Absent, none.

Amendment [S-3086](#) lost.

Senator Schneider offered amendment [S-3088](#), filed by Senator Schneider, et al., from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Bolkcom raised the point of order that amendment [S-3088](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3088](#) out of order.

Senator Bertrand offered amendment [S-3087](#), filed by Senator Bertrand, et al., from the floor to pages 1 and 3 and amending the title page of the bill.

Senator Bolkcom raised the point of order that amendment [S-3087](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3087](#) out of order.

Senator Sodders 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. 427](#)), the vote was:

Yeas, 46:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders

Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Ragan	Whitver
Breitbach	Guth	Rozenboom	Wilhelm
Chapman	Hart	Schneider	Zaun
Chelgren	Horn	Schoenjahn	Zumbach
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, 4:

Bolkcom	Dvorsky	Hogg	Quirmbach
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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 427](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:52 p.m. until 9:00 a.m., Wednesday, April 1, 2015.

APPENDIX

REPORT OF COMMITTEE MEETING

JUDICIARY

Convened: Tuesday, March 31, 2015, 2:05 p.m.

Members Present: Soddors, Chair; Hogg, Vice Chair; Schneider, Ranking Member; Bisignano, Garrett, Horn, Kinney, Petersen, Quirmbach, Shipley, Taylor, Whitver, and Zaun.

Members Absent: None.

Committee Business: Passed HF's 227, 299, 447, and 258. Governor's appointees.

Adjourned: 3:00 p.m.

SUBCOMMITTEE ASSIGNMENTS

[House File 467](#)

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Ragan and Rozenboom

[House File 579](#)

HUMAN RESOURCES: Ragan, Chair; Dotzler and Segebart

[House File 580](#)

JUDICIARY: Taylor, Chair; Horn and Schneider

[SSB 1270](#)

(Reassigned)

APPROPRIATIONS: McCoy, Chair; Dvorsky and Kapucian

FINAL COMMITTEE REPORTS OF BILL ACTION

JUDICIARY

Bill Title: [HOUSE FILE 227](#), a bill for an act relating to strip searches of persons at a jail or municipal holding facility.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Sodders, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Shipley, Taylor, Whitver, and Zaun. Nays, 1: Petersen. Present, 1: Quirnbach. Absent, None.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 258](#), a bill for an act relating to sexual misconduct with offenders and juveniles, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Sodders, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 299](#), a bill for an act prohibiting the use of agreements concerning private land owners entered into by the loess hills development and conservation authority or the loess hills alliance.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirmbach, Shipley, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 447](#), a bill for an act requiring wireless communications service providers to provide call locations in circumstances of emergency, making penalties applicable, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirmbach, Shipley, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: [HOUSE FILE 467](#), a bill for an act relating to violations of deer and wild turkey harvest reporting requirements and including penalty provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dearden, Brase, Rozenboom, Behn, Bolkcom, Johnson, Kinney, Petersen, Ragan, Schoenjahn, Seng, Shipley, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 544](#), a bill for an act regarding the use of waste conversion technologies as a waste management practice.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dearden, Brase, Rozenboom, Behn, Bolkcom, Johnson, Kinney, Petersen, Ragan, Schoenjahn, Seng, Shipley, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 578](#), a bill for an act relating to the observation of a department of natural resources investigation by a property owner or person in charge of the property.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Dearden, Brase, Rozenboom, Behn, Bolkcom, Johnson, Kinney, Petersen, Ragan, Schoenjahn, Seng, Shipley, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 31, 2015, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 130](#) – Making changes to certain limitations within the national guard educational assistance program.

[Senate File 131](#) – Relating to information the board of educational examiners is required to review regarding applicants for license renewal.

[Senate File 134](#) – Concerning bonding requirements for a wine direct shipper license.

[Senate File 150](#) – Increasing the criminal penalty for a sexually violent predator who escapes or attempts to escape from custody.

[Senate File 198](#) – Relating to the regulation of certified public accountants and certified public accounting firms.

[Senate File 223](#) – Relating to support of the poor by certain relatives.

[Senate File 323](#) – Concerning lottery games and revenue for support of veterans.

[Senate File 440](#) – Relating to interstate contracts for substance abuse and mental health care and treatment.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

ECONOMIC GROWTH

Thomas Bernau – Iowa Capital Investment Board

Debi Durham – Director of the Economic Development Authority

WAYS AND MEANS

David Erickson – State Board of Tax Review

**GOVERNOR'S APPOINTEES PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

JUDICIARY

Jerry Bartruff – Director of the Department of Corrections

WAYS AND MEANS

Courtney Kay-Decker – Director of Revenue

**GOVERNOR'S APPOINTEE PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar without recommendation for confirmation:

JUDICIARY

Arlen Ciechanowski – Director of Law Enforcement Academy

AMENDMENTS FILED

<u>S-3081</u>	<u>H.F. 203</u>	Jeff Danielson
<u>S-3082</u>	<u>S.F. 458</u>	Jeff Danielson
<u>S-3083</u>	<u>S.F. 167</u>	Tony Bisignano
<u>S-3084</u>	<u>S.F. 345</u>	Robert M. Hogg
<u>S-3085</u>	<u>S.F. 427</u>	Charles Schneider
<u>S-3086</u>	<u>S.F. 427</u>	Charles Schneider
		Jerry Behn
		Dennis Guth
		Ken Rozenboom
		Roby Smith
		Jason Schultz
		Julian B. Garrett
		Michael Breitbach
		Dan Zumbach
		Tim L. Kapucian
		Bill Dix
		Jack Whitver

Mark Chelgren
 Tim Kraayenbrink
 Tom Shipley
 Bill Anderson
 Rick Bertrand
 Randy Feenstra
 David Johnson
 Mark Segebart
 Jake Chapman
 Brad Zaun

S-3087

S.F. 427

Amy Sinclair
 Mark Costello
 Rick Bertrand
 Bill Anderson
 Tom Shipley
 Tim Kraayenbrink
 Mark Chelgren
 Jason Schultz
 Ken Rozenboom
 Jack Whitver
 Bill Dix
 Tim L. Kapucian
 Dan Zumbach
 Michael Breitbach
 Julian B. Garrett
 David Johnson
 Mark Segebart
 Roby Smith
 Dennis Guth
 Jerry Behn
 Charles Schneider
 Mark Costello
 Amy Sinclair
 Jake Chapman
 Brad Zaun
 Randy Feenstra

S-3088

S.F. 427

Charles Schneider
 Jerry Behn
 Dennis Guth
 Ken Rozenboom
 Roby Smith

Mark Segebart
Jason Schultz
Julian B. Garrett
Michael Breitbach
Dan Zumbach
Tim L. Kapucian
Amy Sinclair
Bill Dix
Jack Whitver
Mark Chelgren
Tim Kraayenbrink
Tom Shipley
Bill Anderson
Rick Bertrand
Randy Feenstra
David Johnson
Jake Chapman
Mark Costello
Brad Zaun