

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, MAY 5, 2015

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

ONE HUNDRED FOURTEENTH CALENDAR DAY
SIXTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, May 5, 2015

The Senate met in regular session at 9:02 a.m., President Jochum presiding.

A moment of silence was observed by the Senate.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Noah Canady.

The Journal of Monday, May 4, 2015, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:14 a.m. until 11:00 a.m.

RECONVENED

The Senate reconvened at 11:29 a.m., President Jochum presiding.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 646 and 634.

[House File 646](#)

On motion of Senator Hogg, [House File 646](#), a bill for an act relating to the use of revenues resulting from the physical plant and equipment levy and including applicability provisions, with report of committee recommending passage, was taken up for consideration.

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?" ([H.F. 646](#)), 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.

[House File 634](#)

On motion of Senator Allen, [House File 634](#), a bill for an act providing for the department of agriculture and land stewardship's administration of certain functions, including by eliminating past dates relating to a determination of Iowa-foaled horse and to the rehabilitation and conservation of land affected by coal mining, providing for payment by the department for the examination of certain articles, allowing the department to adopt by reference certain federal publications affecting milk and milk products, modifying the definition of biobutanol, eliminating departmental duties and fees relating to weights and measures, providing for purchased-grain fees paid into the Iowa grain indemnity fund, and changing the name of the division of soil and water conservation and the name of its appointed administrative official, 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. 634](#)), 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 Bolkcom asked and received unanimous consent to take up for consideration [House File 626](#).

[House File 626](#)

On motion of Senator Bolkcom, [House File 626](#), a bill for an act relating to the processes for appealing tax matters in this state by repealing the future repeal of the property assessment appeal board, providing for the future repeal of the state board of tax review, providing for appeals to the director of revenue for certain tax matters and modifying the powers and duties of the director of revenue, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bolkcom offered amendment [S-3138](#), filed by the committee on Ways and Means on April 28, 2015, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-3138](#) 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. 626](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	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	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, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 626, 634, and 646** 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 500](#).

[Senate File 500](#)

On motion of Senator Mathis, [Senate File 500](#), a bill for an act relating to family support programs and provisions including those relating to child support and establishment of paternity, was taken up for consideration.

Senator Mathis 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. 500](#)), 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 638](#).

House File 638

On motion of Senator McCoy, [House File 638](#), a bill for an act concerning the reporting and payment of wine gallonage sales and taxes, with report of committee recommending passage, was taken up for consideration.

Senator McCoy 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. 638](#)), 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 500](#) and [House File 638](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 622](#).

[House File 622](#)

On motion of Senator Petersen, [House File 622](#), a bill for an act relating to certain fees charged in connection with vehicle rental agreements and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Quirnbach offered amendment [S-3139](#), filed by him on April 28, 2015, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3139](#) be adopted?” ([H.F. 622](#)), the vote was:

Yeas, 7:

Bisignano	Guth	Rozenboom	Zaun
Chelgren	Quirnbach	Taylor	

Nays, 43:

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

Absent, none.

Amendment [S-3139](#) lost.

Senator Petersen 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. 622](#)), the vote was:

Yeas, 47:

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

Nays, 3:

Bisignano	Quirnbach	Taylor
-----------	-----------	--------

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 (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 504](#).

[House File 504](#)

On motion of Senator Allen, [House File 504](#), a bill for an act relating to electronic delivery and posting of insurance notices and documents, placed on the Unfinished Business Calendar on April 9, 2015, with report of committee recommending passage, was taken up for consideration.

Senator Allen offered amendment [S-3153](#), filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Senator Allen offered amendment [S-3154](#), filed by him from the floor to page 1 of amendment [S-3153](#), and moved its adoption.

Amendment [S-3154](#) to amendment [S-3153](#) was adopted by a voice vote.

Senator Allen moved the adoption of amendment [S-3153](#), as amended.

Amendment [S-3153](#), as amended, was adopted by a voice vote.

Senator Gronstal offered amendment [S-3152](#), filed by him from the floor to page 4 and amending the title page of the bill, and moved its adoption.

Amendment [S-3152](#) was adopted by a voice vote.

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

Yeas, 50:

Allen	Danielson	Johnson	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	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, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 504 and 622** 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 637](#).

[House File 637](#)

On motion of Senator McCoy, [House File 637](#), 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 and the primary road fund, with report of committee recommending passage, was taken up for consideration.

Senator Chelgren asked and received unanimous consent that action on [House File 637](#) be **deferred**.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 567](#).

[House File 567](#)

On motion of Senator Soddors, [House File 567](#), a bill for an act relating to controlled substances, including by enhancing the penalties for imitation controlled substances, modifying the controlled substances listed in schedules I, III, and IV, and temporarily designating substances as controlled substances, and providing penalties, placed on the Unfinished Business Calendar on April 9, 2015, with report of committee recommending passage, was taken up for consideration.

Senator Sodders withdrew amendment [S-3144](#), filed by him on April 29, 2015, to pages 1–14 and amending the title page of the bill.

Senator Sodders offered amendment [S-3148](#), filed by him on April 30, 2015, to pages 1–14 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3148](#) be adopted?” ([H.F. 567](#)), the vote was:

Yeas, 26:

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

Nays, 24:

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

Absent, none.

Amendment [S-3148](#) was adopted.

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?” ([H.F. 567](#)), the vote was:

Yeas, 27:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor

Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	Zaun
Danielson	Horn	Ragan	

Nays, 23:

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

Absent, none.

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

BUSINESS PENDING

[House File 637](#)

The Senate resumed consideration of [House File 637](#), 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 and the primary road fund, previously deferred.

Senator McCoy 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. 637](#)), 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 637](#) be **immediately messaged** to the House.

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 May 5, 2015, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 336](#), a bill for an act relating to civil protective orders in sexual abuse cases, and making penalties applicable. ([S-3155](#))

[Senate File 496](#), a bill for an act relating to appropriations to the judicial branch. ([S-3156](#))

ALSO: That the House has on May 5, 2015, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 654](#), a bill for an act relating to the programs and duties of the economic development authority and including effective date and retroactive applicability provisions and other properly related matters.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 12:56 p.m. until 9:00 a.m., Wednesday, May 6, 2015.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Calla Blake—For being a foster parent with Families Helping Families of Iowa. Senator Mathis.

Leanne Loehr—For her work as founder of Families Helping Families of Iowa. Senator Mathis.

Scattergood Friends School of West Branch—For celebrating their 125th anniversary. Senator Dvorsky.

Sara Tawil—For her work with Linn County DHS, Child Protection, and Families Helping Families of Iowa. Senator Mathis.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Tuesday, May 05, 2015, 9:15 a.m.

Members Present: Seng, Chair; Ragan, Vice Chair; Zumbach, Ranking Member; Bowman, Brase, Hart, Kapucian, Kinney, Rozenboom, Shipley, Soddors, and Taylor.

Members Absent: Anderson (excused).

Committee Business: Governor's appointee.

Adjourned: 9:25 a.m.

GOVERNMENT OVERSIGHT

Convened: Tuesday, May 05, 2015, 2:00 p.m.

Members Present: Hogg, Chair; Schoenjahn, Vice Chair; Garrett, Ranking Member; Kinney and Whitver.

Members Absent: None.

Committee Business: Passed [SSB 1276](#).

Adjourned: 2:15 p.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 36](#), by Dvorsky, a resolution honoring the City of Tipton on its quartoseptcentennial.

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

GOVERNOR'S APPOINTEE PLACED ON
EN BLOC CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

AGRICULTURE

Sharon Krause – State Soil Conservation Committee

AMENDMENTS FILED

S-3152	H.F. 504	Michael E. Gronstal
S-3153	H.F. 504	Chaz Allen
S-3154	H.F. 504	Chaz Allen
S-3155	S.F. 336	House
S-3156	S.F. 496	House