

PROOF

STATE OF IOWA

House Journal

THURSDAY, FEBRUARY 25, 2016

Produced daily by the State of Iowa during the sessions of the General Assembly.
(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Forty-sixth Calendar Day - Thirtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 25, 2016

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Father Dave Fleming, St. Pius Catholic Church, Urbandale. He was the guest of Representative Forbes of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Natalie Steinke, Chief Clerk's Page from Gibson.

The Journal of Wednesday, February 24, 2016, was approved.

INTRODUCTION OF BILLS

[House File 2418](#), by committee on Human Resources, a bill for an act relating to subsidized guardianships.

Read first time and referred to committee on **Appropriations**.

[House File 2419](#), by committee on Transportation, a bill for an act relating to agricultural literacy special registration plates for motor vehicles.

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

[House File 2420](#), by committee on Public Safety, a bill for an act relating to untested sexual abuse evidence collection kits stored at law enforcement agencies.

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

[House File 2421](#), by committee on Education, a bill for an act relating to coaching endorsements and authorizations issued by the board of educational examiners and to certain emergency medical

procedures training requirements, and including applicability provisions.

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

[House File 2422](#), by committee on Education, a bill for an act relating to reading and literacy requirements for practitioner preparation programs.

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

[House File 2423](#), by committee on Natural Resources, a bill for an act prohibiting the purchase of weapons seized as a public nuisance by certain persons.

Read first time and referred to committee on **Judiciary**.

SENATE MESSAGES CONSIDERED

[Senate Joint Resolution 2006](#), by committee on Education, a joint resolution nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions.

Read first time and referred to committee on **Education**.

[Senate Joint Resolution 2007](#), by committee on Education, a joint resolution nullifying administrative rules increasing fees assessed by the board of educational examiners and including effective date provisions.

Read first time and referred to committee on **Education**.

[Senate File 2109](#), by committee on Appropriations, a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

[Senate File 2155](#), by committee on Appropriations, a bill for an act creating a statewide land mobile radio communications system fund, making an appropriation, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

[Senate File 2164](#), by committee on Judiciary, a bill for an act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered, and including applicability provisions.

Read first time and referred to committee on **Judiciary**.

[Senate File 2185](#), by committee on Judiciary, a bill for an act relating to a criminal trespass that results in a violation of a person's expectation of privacy, and providing penalties.

Read first time and referred to committee on **Public Safety**.

[Senate File 2196](#), by committee on Education, a bill for an act relating to reading and literacy requirements for practitioner preparation programs.

Read first time and **passed on file**.

[Senate File 2197](#), by committee on Human Resources, a bill for an act relating to the membership of the medical assistance advisory council and executive committee.

Read first time and referred to committee on **Human Resources**.

[Senate File 2198](#), by committee on State Government, a bill for an act relating to the use of experimental treatments for patients with a terminal illness.

Read first time and referred to committee on **Human Resources**.

[Senate File 2200](#), by committee on Education, a bill for an act concerning instruction provided through the Iowa learning online initiative.

Read first time and **passed on file**.

[Senate File 2205](#), by committee on Education, a bill for an act relating to varsity interscholastic athletic contests and athletic competitions eligibility limitations for pupils who participate in open enrollment, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **Education**.

[Senate File 2214](#), by committee on Human Resources, a bill for an act relating to the dispensing of additional quantities of a prescription within the limitations of the prescription.

Read first time and referred to committee on **Human Resources**.

[Senate File 2217](#), by committee on Education, a bill for an act relating to the definition of child abuse and to mandatory reporting training to recognize and report incidents of human trafficking involving minors, and making penalties applicable.

Read first time and referred to committee on **Judiciary**.

[Senate File 2221](#), by committee on Commerce, a bill for an act relating to public utilities and sanitary sewage or storm water drainage disposal system providers.

Read first time and **passed on file**.

[Senate File 2224](#), by committee on Transportation, a bill for an act relating to the overtaking and passing of bicyclists by motor vehicles, and applying existing penalties.

Read first time and referred to committee on **Transportation**.

[Senate File 2242](#), by committee on State Government, a bill for an act relating to the administration of city elections by permitting

the county commissioner of elections to designate a city clerk to receive city candidate filings.

Read first time and referred to committee on **State Government**.

[Senate File 2244](#), by committee on Transportation, a bill for an act relating to persons with disabilities registration plates for motor vehicles owned by trusts.

Read first time and referred to committee on **Transportation**.

[Senate File 2247](#), by committee on Transportation, a bill for an act relating to the use of licenses and advertisements by motor vehicle dealers and wholesalers, and making penalties applicable.

Read first time and referred to committee on **Transportation**.

ADOPTION OF [HOUSE RESOLUTION 103](#)

Hagenow of Polk called up for consideration [House Resolution 103](#), a resolution commemorating the 25th anniversary of the conclusion of Operation Desert Shield/Desert Storm.

Rizer of Linn moved the adoption of [House Resolution 103](#).

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:49 a.m., until the fall of the gavel.

The House resumed session at 9:26 a.m., Speaker Upmeyer in the chair.

CONSIDERATION OF BILLS

Regular Calendar

[House File 2265](#), a bill for an act relating to the disclosure of an address confidentiality program participant's address in certain legal proceedings, was taken up for consideration.

Fisher of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2265](#))

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Holt	Holz	Hunter	Huseman
Isenhart	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, none.

Absent or not voting, 5:

Baltimore	Berry	Hanson	Olson
Stanerson			

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

[House File 2342](#), a bill for an act relating to signatures and other writing on applications for hunting, fishing, and fur harvester licenses, was taken up for consideration.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2342](#))

The ayes were, 94:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Ourth	Paulsen	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sexton
Sheets	Sieck	Smith	Staed
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Speaker Upmeyer		

The nays were, none.

Absent or not voting, 6:

Baltimore	Berry	Hanson	Heaton
Olson	Stanerson		

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

[House File 2359](#), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions,

or remove ambiguities, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Paulsen of Linn offered amendment [H-8019](#) filed by the committee on Judiciary and moved its adoption.

The committee amendment [H-8019](#) was adopted.

Paulsen of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2359](#))

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Holt	Holz	Hunter	Huseman
Isenhart	Jacoby	Jones	Jorgensen
Kaufmann	Kearns	Kelley	Klein
Koester	Kooiker	Kressig	Landon
Lensing	Lykam	Mascher	Maxwell
McConkey	Meyer	Miller, H.	Miller, L.
Mommsen	Moore, B.	Moore, T.	Nunn
Oldson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, none.

Absent or not voting, 5:

Baltimore	Berry	Hanson	Olson
Stanerson			

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

[House File 2360](#), a bill for an act relating to nonsubstantive Code corrections, was taken up for consideration.

[SENATE FILE 2189](#) SUBSTITUTED FOR [HOUSE FILE 2360](#)

Paulsen of Linn asked and received unanimous consent to substitute [Senate File 2189](#) for [House File 2360](#).

[Senate File 2189](#), a bill for an act relating to nonsubstantive Code corrections, was taken up for consideration.

Paulsen of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2189](#))

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker
			Upmeyer

The nays were, none.

Absent or not voting, 4:

Baltimore Hanson Olson Stanerson

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

[House File 2369](#), a bill for an act concerning instruction provided through the Iowa learning online initiative, was taken up for consideration.

Gassman of Winnebago offered amendment [H-8030](#) filed by him and Steckman of Cerro Gordo and moved its adoption.

Amendment [H-8030](#) was adopted.

[SENATE FILE 2200](#) SUBSTITUTED FOR [HOUSE FILE 2369](#)

Gassman of Winnebago asked and received unanimous consent to substitute [Senate File 2200](#) for [House File 2369](#).

[Senate File 2200](#), a bill for an act concerning instruction provided through the Iowa learning online initiative, was taken up for consideration.

Steckman of Cerro Gordo offered amendment [H-8031](#) filed by her and moved its adoption.

Amendment [H-8031](#) was adopted.

Gassman of Winnebago moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2200](#))

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes

Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhart	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Baltimore	Hanson	Olson	Stanerson
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House Joint Resolution 2003, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to searches and seizures of electronic communications and data, with report of committee recommending passage, was taken up for consideration.

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa relating to searches and seizures of electronic communications and data.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Section 8 of Article I of the Constitution of the State of Iowa is amended beginning July 1, 2019, to read as follows:

Personal security — searches and seizures. SEC. 8. The right of the people to be secure in their persons, houses, papers, and effects, and electronic communications and data, against unreasonable seizures and searches shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation, particularly describing the place to be searched, and the persons and things to be seized, and the electronic communications and data to be accessed.

Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly, and the secretary of state is directed to cause the proposed amendment to be published for three consecutive months previous to the date of that election as provided by law.

EXPLANATION

The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.

This joint resolution proposes an amendment to the Constitution of the State of Iowa relating to searches and seizures of electronic communications and data.

The amendment to the Constitution provides that a person's electronic communications and data shall be secure against unreasonable searches and seizures and that such communications and data shall only be subject to search and seizure if a warrant under oath based upon probable cause has first been issued.

The resolution, if adopted, would be published and then referred to the next general assembly (Eighty-seventh) for adoption, before being submitted to the electorate for ratification.

The resolution, if adopted and ratified by the electorate, would take effect July 1, 2019.

Rizer of Linn moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?"
([H.J.R. 2003](#))

The yeas were, 96:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Ourth	Paulsen
Paustian	Pettengill	Prichard	Rizer
Rogers	Ruff	Running-Marquardt	Salmon
Sands	Sexton	Sheets	Sieck
Smith	Staed	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wills	Winckler
Windschitl	Wolfe	Worthan	Speaker Upmeyer

The nays were, none.

Absent or not voting, 4:

Baltimore	Hanson	Olson	Stanerson
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The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone	Berry of Black Hawk
Hanson of Jefferson	Olson of Polk
Stanerson of Linn	

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 2074, 2247, 2360 and 2369 from further consideration by the House.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House Joint Resolution 2003](#), [House Files 2265, 2342, 2359](#) and [Senate Files 2189](#) and [2200](#).

[HOUSE FILE 2393](#) REFERRED

The Speaker announced that [House File 2393](#), previously placed on the **calendar** was referred to committee on **Ways and Means**.

[HOUSE FILE 2402](#) REFERRED

The Speaker announced that [House File 2402](#), previously placed on the **calendar** was referred to committee on **Ways and Means**.

EXPLANATION OF VOTE

On February 24, 2016, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

[House File 2263](#) – “aye”

[House File 2264](#) – “aye”

[House File 2271](#) – “aye”

[House File 2277](#) – “aye”

[House File 2356](#) – “aye”

[House File 2373](#) – “aye”

Heddens of Story

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2009](#)

Education: Highfill, Chair; Forristall and Ruff.

[Senate File 2102](#)

Human Resources: L. Miller, Chair; T. Moore and Winckler.

[Senate File 2144](#)

Human Resources: Fry, Chair; Anderson and Sieck.

[Senate File 2145](#)

Human Resources: L. Miller, Chair; Best and Wessel-Kroeschell.

[Senate File 2195](#)

Education: Salmon, Chair; Gassman and Mascher.

[Senate File 2198](#)

Human Resources: Gustafson, Chair; Bacon and Wessel-Kroeschell.

[Senate File 2234](#)

Education: Sieck, Chair; Hanson and T. Moore.

AMENDMENTS FILED

<u>H-8032</u>	<u>H.F. 2077</u>	Rizer of Linn
<u>H-8033</u>	<u>H.F. 2403</u>	Fisher of Tama
<u>H-8034</u>	<u>H.F. 2357</u>	Fisher of Tama
<u>H-8035</u>	<u>H.F. 2372</u>	Mommsen of Clinton
<u>H-8036</u>	<u>H.F. 2421</u>	Koester of Polk
<u>H-8037</u>	<u>H.F. 2310</u>	Vander Linden of Mahaska
<u>H-8038</u>	<u>H.F. 2338</u>	Pettengill of Benton

On motion by Hagenow of Polk, the House adjourned at 9:51 a.m., until 1:00 p.m., Monday, February 29, 2016.