

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, FEBRUARY 18, 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

THIRTY-EIGHTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 18, 2015

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

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ochevedan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Lauren Rowley.

The Journal of Tuesday, February 17, 2015, 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 February 17, 2015, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 146](#), a bill for an act concerning gambling game prohibited activities and making penalties applicable.

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

[House File 156](#), a bill for an act relating to certain costs under the statewide preschool program for four-year-old children and including effective date and retroactive applicability provisions.

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

[House File 159](#), a bill for an act relating to the administration of combined guardianship and conservatorship proceedings.

Read first time and attached to **companion** [Senate File 149](#).

[House File 167](#), a bill for an act concerning access to documents during the competitive bidding process for public improvement contracts.

Read first time and attached to **companion** [Senate File 122](#).

[House File 202](#), a bill for an act relating to licensure of retired volunteer dentists and dental hygienists.

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

[House File 204](#), a bill for an act relating to open enrollment of students in online learning programs.

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

[House File 205](#), a bill for an act modifying reporting requirements relating to veterans attending postsecondary educational institutions.

Read first time and attached to **companion** [Senate File 133](#).

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 9](#).

[Senate Resolution 9](#)

On motion of Senator Petersen, [Senate Resolution 9](#), a resolution congratulating the Drake Law School on the 150th anniversary of its founding and celebrating Drake Law School Day, with report of committee recommending passage, was taken up for consideration.

Senator Petersen moved the adoption of [Senate Resolution 9](#), which motion prevailed by a voice vote.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that [Senate File 257](#) be referred from the Regular Calendar to the committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:22 a.m. until 9:00 a.m., Thursday, February 19, 2015.

APPENDIX**COMMUNICATIONS RECEIVED**

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF COMMERCE (BANKING DIVISION)

Annual Review of Qualified Student Loan Bond Issuer, pursuant to Iowa Code section 7C.13. Report received on February 18, 2015.

Bank Required Collateral Report, pursuant to Iowa Code section 12C.20. Report received on February 18, 2015.

IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

FY 2014 Annual Report, pursuant to Iowa Code section 312.3B. Report received on February 18, 2015.

REPORTS OF COMMITTEE MEETINGS**EDUCATION**

Convened: Wednesday, February 18, 2015, 3:05 p.m.

Recessed: 3:45 p.m.

Reconvened: 3:50 p.m.

Members Present: Quirnbach, Chair; Schoenjahn, Vice Chair; Sinclair, Ranking Member; Behn, Bowman, Dvorsky, Hart, Hogg, Johnson, Kinney, Kraayenbrink, Mathis, Schultz, Wilhelm, and Zaun.

Members Absent: None.

Committee Business: AEA presentation. Discussed [SF 191](#), [SF 204](#), and [SSB 1053](#).

Adjourned: 3:55 p.m.

HUMAN RESOURCES

Convened: Wednesday, February 18, 2015, 2:05 p.m.

Members Present: Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Chelgren, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm.

Members Absent: None.

Committee Business: Passed SSBs 1015, 1019, 1039, and 1096.

Adjourned: 2:40 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, February 18, 2015, 3:05 p.m.

Members Present: Bisignano, Chair; Seng, Vice Chair; Shipley, Ranking Member; Bertrand, Brase, Costello, Courtney, Dearden, Dotzler, Sodders, and Whitver.

Members Absent: None.

Committee Business: Passed [SF 39](#) and [SSB 1151](#).

Adjourned: 3:35 p.m.

TRANSPORTATION

Convened: Wednesday, February 18, 2015, 2:00 p.m.

Members Present: Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbach, Dearden, Feenstra, Horn, Kraayenbrink, McCoy, Quirnbach, and Smith.

Members Absent: Danielson (excused).

Committee Business: Passed [SF 87](#) and [SF 155](#); deferred [SF 127](#). Presentation by Christine Siksa, Director of Government Affairs for the Recreation Vehicle Industry Association.

Adjourned: 2:40 p.m.

JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE

Convened: Wednesday, February 18, 2015, 10:10 a.m.

Members Present: Courtney, Chair; Hogg, Vice Chair; Garrett, Ranking Member; Chelgren and Taylor.

Members Absent: None.

Committee Business: Major General Timothy Orr, adjutant general of the Iowa National Guard gave a slide presentation.

Adjourned: 11:05 a.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 12](#), by Chelgren, Behn, Guth, Sinclair, Zaun, Schultz, Shipley, and Kraayenbrink, a resolution urging Congress and the President of the United States to enact new legislation on the federalization of national guard forces.

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

INTRODUCTION OF BILLS

[Senate File 258](#), by committee on Education, a bill for an act relating to eligibility requirements for the gap tuition assistance program.

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

[Senate File 259](#), by committee on Education, a bill for an act relating to filling school board vacancies.

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

[Senate File 260](#), by Chelgren, a bill for an act relating to the conditions under which a licensed teacher may remove a student from the teacher's assigned classroom, and including administrative protections and immunity from civil and criminal liability.

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

[Senate File 261](#), by Chelgren, a bill for an act exempting individuals of a certain age from the individual income tax, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 262](#), by Wilhelm, a bill for an act concerning the transportation of persons with a substance-related disorder or a mental illness.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 263](#), by Schneider and Whitver, a bill for an act relating to the operation of a rescue vehicle when responding to an emergency.

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

[Senate File 264](#), by committee on Judiciary, a bill for an act relating to access to local exchange service information.

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

[Senate File 265](#), by Dotzler, a bill for an act relating to licensure, regulation, and complaint procedures for the hotel sanitation code, home food establishments, and food establishments and food processing plants, and modifying fees and penalties.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 266](#), by Taylor, a bill for an act relating to public access to data processing software under Iowa's open records law.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 267](#), by committee on Judiciary, a bill for an act relating to privileged communications between certain peer support group counselors and officers.

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

[Senate File 268](#), by committee on Judiciary, a bill for an act relating to the payment of attorney fees when the respondent is convicted of a crime against the petitioner and is incarcerated at the time of the filing of the petition for dissolution of marriage.

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

[Senate File 269](#), by committee on Labor and Business Relations, a bill for an act to increase the state minimum hourly wage.

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

[Senate File 270](#), by committee on Labor and Business Relations, a bill for an act relating to wage payment collection issues arising between employers and individuals who provide services to employers, providing penalties and remedies, and including effective date provisions.

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

STUDY BILLS RECEIVED

[SSB 1196](#) **Judiciary**

Relating to the issuance of temporary restricted licenses for employment purposes.

[SSB 1197](#) **Appropriations**

Relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

[SSB 1198](#) **Human Resources**

Relating to hospital and long-term care pharmacy practice for pneumococcal vaccines.

SSB 1199 Human Resources

Requesting the establishment of a social impact bond interim study committee.

SSB 1200 Human Resources

Relating to interstate contracts for substance abuse and mental health care and treatment.

SSB 1201 Appropriations

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

SSB 1202 Appropriations

Relating to appropriations to the justice system.

SSB 1203 Appropriations

Relating to appropriations to the judicial branch.

SSB 1204 Appropriations

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.

SSB 1205 Judiciary

Relating to the reclassification of marijuana, including tetrahydrocannabinols, under the controlled substance schedules.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 10**

COMMERCE: Petersen, Chair; Courtney and Zumbach

Senate Resolution 11

WAYS AND MEANS: Quirnbach, Chair; Dotzler and Feenstra

[Senate File 241](#)

TRANSPORTATION: Kraayenbrink, Chair; Bowman and Brase

[Senate File 242](#)

COMMERCE: Bolkcom, Chair; Petersen and Smith

[Senate File 244](#)

WAYS AND MEANS: Jochum, Chair; Allen and Behn

[Senate File 248](#)

WAYS AND MEANS: Bolkcom, Chair; Feenstra and Quirmbach

[Senate File 249](#)

WAYS AND MEANS: Quirmbach, Chair; Feenstra and McCoy

[Senate File 252](#)

EDUCATION: Dvorsky, Chair; Quirmbach and Sinclair

[Senate File 253](#)

EDUCATION: Schoenjahn, Chair; Hart and Sinclair

[Senate File 254](#)

EDUCATION: Schoenjahn, Chair; Hart and Sinclair

[Senate File 255](#)

EDUCATION: Hogg, Chair; Dvorsky and Kraayenbrink

[Senate File 256](#)

NATURAL RESOURCES AND ENVIRONMENT: Bolkcom, Chair; Petersen and Rozenboom

[Senate File 257](#)

WAYS AND MEANS: McCoy, Chair; Allen, Anderson, Behn, Bolkcom, Breitbach, Dotzler, Feenstra, Hogg, Jochum, Petersen, Quirmbach, Schultz, Seng, and Smith

[Senate File 260](#)

EDUCATION: Dvorsky, Chair; Quirmbach and Schultz

[Senate File 261](#)

WAYS AND MEANS: Quirmbach, Chair; Bolkcom and Feenstra

[House File 156](#)

EDUCATION: Quirnbach, Chair; Dvorsky and Sinclair

[House File 204](#)

EDUCATION: Quirnbach, Chair; Dvorsky and Johnson

[SSB 1196](#)

JUDICIARY: Sodders, Chair; Bisignano and Whitver

[SSB 1197](#)

APPROPRIATIONS: Dvorsky, Chair; Chapman and Wilhelm

[SSB 1198](#)

HUMAN RESOURCES: Mathis, Chair; Allen and Segebart

[SSB 1199](#)

HUMAN RESOURCES: Mathis, Chair; Bolkcom and Chelgren

[SSB 1200](#)

HUMAN RESOURCES: Wilhelm, Chair; Bolkcom and Johnson

[SSB 1201](#)

APPROPRIATIONS: Dvorsky, Chair; Brase and Zumbach

[SSB 1202](#)

APPROPRIATIONS: Dvorsky, Chair; Courtney and Garrett

[SSB 1203](#)

APPROPRIATIONS: Dvorsky, Chair; Garrett and Hogg

[SSB 1204](#)

APPROPRIATIONS: Dvorsky, Chair; Kapucian and McCoy

[SSB 1205](#)

JUDICIARY: Sodders, Chair; Bisignano and Schneider

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: *[SENATE FILE 258 \(SSB 1056\)](#), a bill for an act relating to eligibility requirements for the gap tuition assistance program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Quirnbach, Schoenjahn, Sinclair, Bowman, Dvorsky, Hart, Hogg, Kinney, Mathis, and Wilhelm. Nays, 5: Behn, Johnson, Kraayenbrink, Schultz, and Zaun. 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 Education Committee on [Senate File 258](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 259](#) (formerly [SF 69](#)), a bill for an act relating to filling school board vacancies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Quirnbach, Schoenjahn, Sinclair, Behn, Bowman, Dvorsky, Hart, Hogg, Johnson, Kinney, Kraayenbrink, Mathis, Schultz, Wilhelm, and Zaun. Nays, none. 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 Education Committee on [Senate File 259](#), and they were attached to the committee report.

JUDICIARY

Bill Title: *[SENATE FILE 264 \(SSB 1025\)](#), a bill for an act relating to access to local exchange service information.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Soddors, 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.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 264](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 267 \(SSB 1163\)](#), a bill for an act relating to privileged communications between certain peer support group counselors and officers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Soddors, 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.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 267](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 268 \(SSB 1091\)](#), a bill for an act relating to the payment of attorney fees when the respondent is convicted of a crime against the petitioner and is incarcerated at the time of the filing of the petition for dissolution of marriage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Soddors, 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.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 268](#), and they were attached to the committee report.

LABOR AND BUSINESS RELATIONS

Bill Title: [SENATE FILE 269 \(SSB 1151\)](#), a bill for an act to increase the state minimum hourly wage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Bisignano, Seng, Bertrand, Brase, Courtney, Dearden, Dotzler, and Soddors. Nays, 3: Shipley, Costello, and Whitver. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 270](#) (formerly [SF 39](#)), a bill for an act relating to wage payment collection issues arising between employers and individuals who provide services to employers, providing penalties and remedies, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Bisignano, Seng, Brase, Courtney, Dearden, Dotzler, and Sodders. Nays, 4: Shipley, Bertrand, Costello, and Whitver. 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 Labor and Business Relations Committee on [Senate File 270](#), and they were attached to the committee report.