

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, JANUARY 26, 2016

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JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 26, 2016

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

Prayer was offered by Pastor Bob Dodge of the United Methodist Church in Britt, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ashton Price.

The Journal of Monday, January 25, 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 January 25, 2016, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 174](#), a bill for an act establishing the state percent of growth. ([S-5001](#))

[Senate File 175](#), a bill for an act establishing the categorical state percent of growth. ([S-5002](#))

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:14 a.m. until 9:00 a.m., Wednesday, January 27, 2016.

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:

IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

2015 Annual Report, pursuant to Iowa Code section 312.3B. Report received on January 26, 2016.

IOWA VETERANS HOME

Environmental First Fund (EFF)—Infrastructure Status Report, pursuant to Iowa Code section 8.57A(5). Report received on January 26, 2016.

Rebuild Iowa Infrastructure Fund (RIIF)—Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on January 26, 2016.

Revenue Bonds Capitals (RBC) Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12.88(4). Report received on January 26, 2016.

Revenue Bonds Capitals II (RBC2) Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12.88A(4). Report received on January 26, 2016.

Tobacco Settlement Trust Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12E.12(9). Report received on January 26, 2016.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Monday, January 25, 2016, 3:35 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: Presentation by Medicaid Director Mikki Stier.

Adjourned: 4:55 p.m.

JUDICIARY

Convened: Tuesday, January 26, 2016, 1:05 p.m.

Recessed: 1:10 p.m.

Reconvened: 1:35 p.m.

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

Members Absent: Whitver (excused).

Committee Business: Passed SSBs 3010, 3024, 3027, and 3031.

Adjourned: 1:40 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, January 26, 2016, 2:00 p.m.

Members Present: Dearden, Chair; Brase, Vice Chair; Rozenboom, Ranking Member; Behn, Bolkcom, Johnson, Kinney, Petersen, Ragan, Schoenjahn, Seng, Shipley, and Zumbach.

Members Absent: None.

Committee Business: Presentation by DNR Director Chuck Gipp.

Adjourned: 2:55 p.m.

ECONOMIC DEVELOPMENT APPROPRIATIONS SUBCOMMITTEE

Convened: Tuesday, January 26, 2016, 10:10 a.m.

Members Present: Dotzler, Chair; Hart, Vice Chair; and Schneider, Ranking Member.

Members Absent: Bisignano and Smith (both excused).

Committee Business: Organizational meeting.

Adjourned: 11:00 a.m.

HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE

Convened: Tuesday, January 26, 2016, 10:00 a.m.

Members Present: Ragan, Chair; Bolkcom, Vice Chair; Segebart, Ranking Member; and Johnson.

Members Absent: Dvorsky (excused).

Committee Business: Mental health bed tracking system and federal childcare assistance regulations presentations.

Adjourned: 11:30 a.m.

JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE

Convened: Tuesday, January 26, 2016, 10:00 a.m.

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

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:15 a.m.

INTRODUCTION OF RESOLUTION

[Senate Joint Resolution 2003](#), by Dearden, a joint resolution proposing an amendment to the Constitution of the State of Iowa providing that the people of the state have a right to hunt, fish, and harvest wildlife.

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

INTRODUCTION OF BILLS

[Senate File 2053](#), by Chapman, a bill for an act relating to the restriction of hunting on private property by the natural resource commission.

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

[Senate File 2054](#), by Feenstra, a bill for an act exempting from the state sales tax the sales price from the sale or furnishing of metered water to residential customers and creating related state and local residential metered water excise taxes.

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

[Senate File 2055](#), by Chelgren, Bertrand, Sinclair, Feenstra, Zaun, Segebart, Behn, and Anderson, a bill for an act relating to terminations of pregnancy by establishing limitations on abortions relative to the size of the fetus and modifying the criminal offenses of feticide and attempted feticide.

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

[Senate File 2056](#), by Feenstra, a bill for an act relating to distributions from a cemetery care fund.

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

[Senate File 2057](#), by Petersen, a bill for an act establishing a cytomegalovirus public health initiative.

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

[Senate File 2058](#), by McCoy, Dvorsky, Dotzler, Petersen, Horn, Dearden, Gronstal, Jochum, and Quirmbach, a bill for an act relating to municipal park improvements by authorizing the establishment of municipal park improvement districts, the issuance of bonds, and the imposition of specified taxes.

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

[Senate File 2059](#), by committee on Judiciary, a bill for an act relating to persons on probation, parole, or work release at the violator facility or a residential facility operated by the judicial district department of correctional services.

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

[Senate File 2060](#), by committee on Judiciary, a bill for an act relating to the appointment of a guardian ad litem in an adoption proceeding.

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

[Senate File 2061](#), by committee on Judiciary, a bill for an act relating to the legal representation of indigent persons in criminal proceedings.

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

[Senate File 2062](#), by committee on Judiciary, a bill for an act including fathers whose paternity has been lawfully established in the definition of parent for the purposes of juvenile justice proceedings.

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

STUDY BILLS RECEIVED

[SSB 3053](#) **Judiciary**

Relating to the statute of repose for medical malpractice claims.

[SSB 3054](#) **Judiciary**

Relating to civil penalties assessed for suspension or revocation of a person's driver's license or nonresident operating privilege.

[SSB 3055](#) **Judiciary**

Relating to sexual abuse and sexual exploitation by a counselor, therapist, or school employee, related penalties, and the time within which actions may be brought for damages for such injury.

[SSB 3056](#) **Judiciary**

Relating to the time period during which a vacation or appeal of a termination of parental rights order may be requested.

SSB 3057 **Judiciary**

Relating to the criminal elements and penalties for the commission of sexual misconduct with offenders and juveniles, and including effective date provisions.

SSB 3058 **Judiciary**

Providing for voidable commercial transactions and including applicability provisions.

SSB 3059 **Judiciary**

Relating to the confidentiality of juvenile court records.

SSB 3060 **State Government**

Relating to the services dental hygienists may perform.

SSB 3061 **Local Government**

Relating to the use of individual taxpayer identification numbers to obtain certificates of title for motor vehicles.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2033**

WAYS AND MEANS: Allen, Chair; Dotzler and Smith

Senate File 2037

COMMERCE: Sadders, Chair; Courtney and Zumbach

Senate File 2038

EDUCATION: Dvorsky, Chair; Hart and Zaun

Senate File 2039

JUDICIARY: Petersen, Chair; Bisignano and Whitver

[Senate File 2040](#)

EDUCATION: Quirnbach, Chair; Schoenjahn and Sinclair

[Senate File 2041](#)

EDUCATION: Quirnbach, Chair; Dvorsky and Sinclair

[Senate File 2043](#)

WAYS AND MEANS: Quirnbach, Chair; Anderson and McCoy

[Senate File 2044](#)

WAYS AND MEANS: Quirnbach, Chair; Anderson and Bolkcom

[Senate File 2045](#)

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

[Senate File 2046](#)

HUMAN RESOURCES: Ragan, Chair; Jochum and Segebart

[Senate File 2047](#)

EDUCATION: Quirnbach, Chair; Dvorsky and Kraayenbrink

[Senate File 2048](#)

STATE GOVERNMENT: Danielson, Chair; Dvorsky and Johnson

[Senate File 2049](#)

HUMAN RESOURCES: Jochum, Chair; Costello and Wilhelm

[Senate File 2053](#)

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

[SSB 3053](#)

JUDICIARY: Sodders, Chair; Garrett and Hogg

[SSB 3054](#)

JUDICIARY: Sodders, Chair; Bisignano and Zaun

[SSB 3055](#)

JUDICIARY: Petersen, Chair; Kinney and Whitver

[SSB 3056](#)

JUDICIARY: Taylor, Chair; Petersen and Zaun

[SSB 3057](#)

JUDICIARY: Taylor, Chair; Kinney and Shipley

[SSB 3058](#)

JUDICIARY: Hogg, Chair; Horn and Whitver

[SSB 3059](#)

JUDICIARY: Petersen, Chair; Kinney and Schneider

[SSB 3060](#)

STATE GOVERNMENT: McCoy, Chair; Bowman and Chapman

[SSB 3061](#)

LOCAL GOVERNMENT: Bisignano, Chair; Allen and Sinclair

FINAL COMMITTEE REPORTS OF BILL ACTION

JUDICIARY

Bill Title: [SENATE FILE 2059 \(SSB 3024\)](#), a bill for an act relating to persons on probation, parole, or work release at the violator facility or a residential facility operated by the judicial district department of correctional services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, and Zaun. Nays, none. Absent, 1: Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2060 \(SSB 3010\)](#), a bill for an act relating to the appointment of a guardian ad litem in an adoption proceeding.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirmbach, Shipley, Taylor, and Zaun. Nays, none. Absent, 1: Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2061 \(SSB 3027\)](#), a bill for an act relating to the legal representation of indigent persons in criminal proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirmbach, Shipley, Taylor, and Zaun. Nays, none. Absent, 1: Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2062 \(SSB 3031\)](#), a bill for an act including fathers whose paternity has been lawfully established in the definition of parent for the purposes of juvenile justice proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirmbach, Shipley, and Zaun. Nays, 1: Taylor. Absent, 1: Whitver.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

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|------------------------|--------------------------|-------|
| S-5001 | S.F. 174 | House |
| S-5002 | S.F. 175 | House |