

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, FEBRUARY 10, 2016

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JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 10, 2016

The Senate met in regular session at 9:01 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 Kira Le.

The Journal of Tuesday, February 9, 2016, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:05 a.m. until 9:00 a.m., Thursday, February 11, 2016.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Ben Mims—For his 32 years of dedicated service to the Iowa Department of Public Safety. Senator Smith.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, February 10, 2016, 12:30 p.m.

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

Members Absent: Brase (excused).

Committee Business: Presentation by Spencer Parkinson.

Adjourned: 1:00 p.m.

JUDICIARY

Convened: Tuesday, February 9, 2016, 4:00 p.m.

Recessed: 4:05 p.m.

Reconvened: 4:15 p.m.

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

Members Absent: None.

Committee Business: Passed [SF 2023](#) and approved SSBs 3028 and 3030.

Adjourned: 4:20 p.m.

TRANSPORTATION

Convened: Wednesday, February 10, 2016, 3:05 p.m.

Members Present: Bowman, Chair; Dvorsky, Vice Chair; Brase, Breitbach, Danielson, Feenstra, Horn, Kraayenbrink, and Quirnbach.

Members Absent: Kapucian, Ranking Member; Dearden, McCoy, and Smith (all excused).

Committee Business: Presentation by Dan McGehee from the University of Iowa.

Adjourned: 3:35 p.m.

**AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS
SUBCOMMITTEE**

Convened: Thursday, January 14, 2016, 10:30 a.m.

Members Present: Wilhelm, Chair; Kinney, Vice Chair; Rozenboom, Ranking Member; and Schultz.

Members Absent: Dearden (excused).

Committee Business: Organizational meeting.

Adjourned: 10:40 a.m.

ALSO:

Convened: Tuesday, January 19, 2016, 1:05 p.m.

Members Present: Wilhelm, Chair; Kinney, Vice Chair; Dearden, and Schultz.

Members Absent: Rozenboom, Ranking Member (excused).

Committee Business: Soil and Water Conservation presentation.

Adjourned: 1:45 p.m.

ALSO:

Convened: Thursday, January 21, 2016, 10:05 a.m.

Members Present: Wilhelm, Chair; Kinney, Vice Chair; Rozenboom, Ranking Member; Dearden, and Schultz.

Members Absent: None.

Committee Business: Presentation on FY 2017 Governor's Budget Recommendations by Deb Kozel with Legislative Services Agency.

Adjourned: 10:20 a.m.

ALSO:

Convened: Tuesday, January 26, 2016, 10:05 a.m.

Members Present: Wilhelm, Chair; Kinney, Vice Chair; Rozenboom, Ranking Member; Dearden, and Schultz.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:50 a.m.

ALSO:

Convened: Thursday, January 28, 2016, 10:05 a.m.

Members Present: Wilhelm, Chair; Kinney, Vice Chair; Rozenboom, Ranking Member; Dearden, and Schultz.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:55 a.m.

ALSO:

Convened: Thursday, February 4, 2016, 10:00 a.m.

Members Present: Wilhelm, Chair; Kinney, Vice Chair; Rozenboom, Ranking Member; Dearden, and Schultz.

Members Absent: None.

Committee Business: Presentation from the Director of the Department of Natural Resources.

Adjourned: 10:55 a.m.

ALSO:

Convened: Tuesday, February 9, 2016, 10:05 a.m.

Members Present: Wilhelm, Chair; Kinney, Vice Chair; Rozenboom, Ranking Member; Dearden, and Schultz.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:50 a.m.

INTRODUCTION OF BILLS

[Senate File 2145](#), by committee on Human Resources, a bill for an act relating to speech therapy benefits for children under Medicaid managed care and including effective date and retroactive applicability provisions.

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

[Senate File 2146](#), by committee on Human Resources, a bill for an act relating to the development and implementation of a public awareness campaign on Alzheimer's and other dementias, and providing an appropriation.

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

[Senate File 2147](#), by committee on State Government, a bill for an act including certain board of regents institution peace officers and civil commitment unit for sex offenders employees in the protection occupation category of the Iowa public employees' retirement system.

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

[Senate File 2148](#), by Zaun, a bill for an act relating to interest rate limitations applicable to specified postsecondary educational loans, and making civil penalties applicable.

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

[Senate File 2149](#), by Segebart, a bill for an act relating to the refund value on beverage containers payable to consumers by redemption centers.

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

[Senate File 2150](#), by committee on Judiciary, a bill for an act relating to forcible entry and detainer actions, including granting concurrent jurisdiction to small claims courts over preliminary hearings for certain forcible entry and detainer actions.

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

[Senate File 2151](#), by committee on State Government, a bill for an act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

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

[Senate File 2152](#), by Chelgren, a bill for an act relating to the determination of when fetal death and homicide and related criminal provisions apply to a fetus, and making penalties applicable.

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

[Senate File 2153](#), by Petersen, a bill for an act establishing an AmeriCorps program for the economic well-being and health of refugees and making an appropriation.

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

[Senate File 2154](#), by committee on Economic Growth, a bill for an act relating to the programs and duties of the economic development authority and including effective date provisions.

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

[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 under Rule 28 and **placed on Appropriations calendar**.

[Senate File 2156](#), by committee on State Government, a bill for an act concerning reports of financial irregularities filed by the state auditor with a county attorney.

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

STUDY BILLS RECEIVED

[SSB 3132](#) **Education**

Nullifying administrative rules increasing fees assessed by the board of educational examiners and including effective date provisions.

SSB 3133 Education

Nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions.

SSB 3134 State Government

Concerning horse and dog racing, including medication requirements and penalties, and exchange wagering.

SSB 3135 State Government

Requiring the professional licensure of tax consultants and tax preparers, and making penalties applicable.

SSB 3136 Economic Growth

Relating to the provision of financial assistance from the nuisance property remediation fund.

SSB 3137 Economic Growth

Authorizing cities and counties to establish energy efficiency improvement districts and district boards and providing for financing of energy efficiency improvements.

SSB 3138 Appropriations

Relating to providing food to persons in need, including the donation of food to be distributed by food banks and emergency feeding organizations, the establishment of prison gardens, and the exemption from the state sales and use tax of the purchase price of tangible personal property sold and services furnished to food banks, and providing for appropriations.

SSB 3139 Veterans Affairs

Concerning veterans preference in private employment relating to work application form requirements and providing a civil penalty.

SSB 3140 Education

Relating to the state preschool program by establishing a preschool expansion incentive, authorizing state aid for the incentive, and addressing program costs.

SSB 3141 Judiciary

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.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2119**

EDUCATION: Dvorsky, Chair; Hogg and Johnson

Senate File 2123

EDUCATION: Schoenjahn, Chair; Dvorsky and Johnson

Senate File 2124

EDUCATION: Bowman, Chair; Johnson and Mathis

Senate File 2127

STATE GOVERNMENT: Petersen, Chair; McCoy and Whitver

Senate File 2128

STATE GOVERNMENT: Danielson, Chair; Horn and Schultz

Senate File 2129

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Courtney and Whitver

Senate File 2131

EDUCATION: Kinney, Chair; Schoenjahn and Sinclair

Senate File 2132

EDUCATION: Schoenjahn, Chair; Hart and Sinclair

[Senate File 2134](#)

NATURAL RESOURCES AND ENVIRONMENT: Kinney, Chair; Ragan and Shipley

[Senate File 2140](#)

HUMAN RESOURCES: Bolkcom, Chair; Dotzler and Johnson

[Senate File 2141](#)

HUMAN RESOURCES: Taylor, Chair; Allen and Costello

[Senate File 2149](#)

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

[Senate Joint Resolution 1](#)

RULES AND ADMINISTRATION: Gronstal, Chair; Courtney and Guth

[SSB 3132](#)

EDUCATION: Schoenjahn, Chair; Quirnbach and Sinclair

[SSB 3133](#)

EDUCATION: Schoenjahn, Chair; Quirnbach and Sinclair

[SSB 3134](#)

STATE GOVERNMENT: Courtney, Chair; Bertrand and Horn

[SSB 3135](#)

STATE GOVERNMENT: Petersen, Chair; Johnson and McCoy

[SSB 3136](#)

ECONOMIC GROWTH: Hart, Chair; Breitbach and Wilhelm

[SSB 3137](#)

ECONOMIC GROWTH: Danielson, Chair; Guth and Taylor

[SSB 3138](#)

APPROPRIATIONS: Wilhelm, Chair; Brase, Chapman, Dvorsky and Schneider

[SSB 3139](#)

VETERANS AFFAIRS: Ragan, Chair; Hart and Rozenboom

[SSB 3140](#)

EDUCATION: Quirnbach, Chair; Behn and Schoenjahn

[SSB 3141](#)

JUDICIARY: Shipley, Chair; Bisignano and Kinney

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *[SENATE FILE 2155 \(SSB 3106\)](#), a bill for an act creating a statewide land mobile radio communications system fund, making an appropriation, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Mathis, McCoy, Ragan, Schoenjahn, and Wilhelm. Nays, 8: Chapman, Garrett, Kapucian, Kraayenbrink, Rozenboom, Schneider, Segebart, and Zumbach. 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 Appropriations Committee on [Senate File 2155](#), and they were attached to the committee report.

ECONOMIC GROWTH

Bill Title: [SENATE FILE 2154 \(SSB 3050\)](#), a bill for an act relating to the programs and duties of the economic development authority and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Hart, Soddors, Chelgren, Anderson, Bisignano, Bowman, Breitbach, Chapman, Danielson, Dotzler, Guth, Mathis, Schneider, Taylor, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: [SENATE FILE 2009](#), a bill for an act expanding the statewide preschool program to include certain five-year-old children and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Quirmbach, Schoenjahn, Sinclair, Behn, Bowman, Dvorsky, Hart, Johnson, Kinney, Kraayenbrink, Mathis, Schultz, and Wilhelm. Nays, none. Absent, 2: Hogg and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: *[SENATE FILE 2145](#) (formerly [SF 2049](#)), a bill for an act relating to speech therapy benefits for children under Medicaid managed care and including effective date and retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Mathis, Ragan, Johnson, Allen, Bolkom, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm. Nays, none. Absent, 1: Chelgren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on [Senate File 2145](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2146 \(SSB 3066\)](#), a bill for an act relating to the development and implementation of a public awareness campaign on Alzheimer's and other dementias, and providing an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Mathis, Ragan, Allen, Bolkom, Dotzler, Jochum, Segebart, Taylor, and Wilhelm. Nays, 3: Johnson, Costello, and Garrett. Absent, 1: Chelgren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on [Senate File 2146](#), and they were attached to the committee report.

JUDICIARY

Bill Title: [SENATE FILE 2150 \(SSB 3030\)](#), a bill for an act relating to forcible entry and detainer actions, including granting concurrent jurisdiction to small claims courts over preliminary hearings for certain forcible entry and detainer actions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sodders, 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.

STATE GOVERNMENT

Bill Title: *[SENATE FILE 2147 \(SSB 3052\)](#), a bill for an act including certain board of regents institution peace officers and civil commitment unit for sex offenders employees in the protection occupation category of the Iowa public employees' retirement system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Danielson, Courtney, Bertrand, Bowman, Dearden, Dvorsky, Feenstra, Horn, Johnson, Petersen, Schoenjahn, and Whitver. Nays, 2: Chapman and Schultz. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 2147](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2151 \(SSB 3068\)](#), a bill for an act relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Danielson, Courtney, Bertrand, Bowman, Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, Petersen, Schoenjahn, Schultz, and Whitver. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 2151](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 2156 \(SSB 3038\)](#), a bill for an act concerning reports of financial irregularities filed by the state auditor with a county attorney.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Danielson, Courtney, Bertrand, Bowman, Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**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:

LABOR AND BUSINESS RELATIONS

Donald Hansen – Plumbing and Mechanical Systems Examining Board

Mary Gannon – Public Employment Relations Board

AMENDMENT FILED

[S-5004](#) [S.F. 2142](#) Jeff Danielson