

PROOF

STATE OF IOWA

Senate Journal

MONDAY, FEBRUARY 15, 2016

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JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 15, 2016

The Senate met in regular session at 1:06 p.m., President Jochum presiding.

Prayer was offered by Pastor Wes Key of the Grinnell Church of Christ in Grinnell, Iowa. He was the guest of Senator Kapucian.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Casey Nickel.

The Journal of Thursday, February 11, 2016, was approved.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate Files 2161 and 2168** be referred from the Regular Calendar to the committee on **Appropriations**; and that [Senate File 2179](#) be referred from the Regular Calendar to the committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:15 p.m. until 9:00 a.m., Tuesday, February 16, 2016.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Tony Halsted, Rudd—For winning the 2016 Neal Smith Entrepreneur of the Year Award. Senator Wilhelm.

Jeffrey Glenn McDanel, Clinton—For his service in the U.S. Navy on the USS La Salle and for volunteering for homeless veterans in the Quad Cities. Senator Hart.

Sarah Novacek, Mason City—For winning the 2016 Deb Dalziel Woman Entrepreneur Achievement Award. Senator Ragan.

Mary Spitz, North Iowa Area Community College—For being named the 2015 Iowa SBDC Support Person of the Year. Senator Ragan.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Monday, February 15, 2016, 2:35 p.m.

Recessed: 2:40 p.m.

Reconvened: 2:55 p.m.

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

Members Absent: Dvorsky (excused).

Committee Business: Passed [SF 2077](#) and [SF 2095](#); approved SSBs 3044 and 3091; and discussed [SF 2132](#).

Adjourned: 3:30 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Monday, February 15, 2016, 2:30 p.m.

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

Members Absent: None.

Committee Business: Passed [SF 398](#) and [SF 2129](#); approved [SSB 3071](#).

Adjourned: 3:15 p.m.

STATE GOVERNMENT

Convened: Monday, February 15, 2016, 1:20 p.m.

Recessed: 1:25 p.m.

Reconvened: 1:35 p.m.

Members Present: Danielson, Chair; Courtney, Vice Chair; Bertrand, Ranking Member; Bowman, Chapman, Dearden, Feenstra, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver.

Members Absent: Dvorsky (excused).

Committee Business: Approved SSBs 1264, 3017, and 3037. Appointment of Nathaniel Garrels, Commission of Deaf Services.

Adjourned: 1:50 p.m.

INTRODUCTION OF BILLS

[Senate File 2179](#), by committee on Economic Growth, a bill for an act related to the high quality jobs program by allowing additional tax incentives for businesses that use contractors and subcontractors operating or participating in an apprenticeship program and including applicability provisions.

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

[Senate File 2180](#), by committee on Natural Resources and Environment, a bill for an act providing for the appointment of members of the general assembly to serve on the water resources coordinating council.

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

[Senate File 2181](#), by committee on Natural Resources and Environment, a bill for an act relating to the funding and operation of programs to collect and dispose of household hazardous materials.

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

[Senate File 2182](#), by committee on Natural Resources and Environment, a bill for an act creating a nonprofit organization energy efficiency grant program and making an appropriation.

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

[Senate File 2183](#), by committee on Judiciary, a bill for an act relating to the limitations on criminal actions for the criminal offense of child endangerment.

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

[Senate File 2184](#), by committee on Judiciary, a bill for an act relating to civil law provisions, including notice requirements for the disposition of the real property of an estate, notice and document delivery under the trust code, the powers of an agent under a power of attorney, and liability for refusing to accept an acknowledged power of attorney, and including effective date and retroactive and other applicability provisions.

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

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

[Senate File 2186](#), by committee on Judiciary, a bill for an act modifying the criminal penalties for a controlled substance that contains cocaine base, and providing penalties.

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

[Senate File 2187](#), by committee on Veterans Affairs, a bill for an act relating to the issuance of driver's licenses marked to reflect veteran status.

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

[Senate File 2188](#), by committee on Human Resources, a bill for an act relating to prescription authority for certain psychologists and making penalties applicable.

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

[Senate File 2189](#), by committee on Judiciary, a bill for an act relating to nonsubstantive Code corrections.

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

[Senate File 2190](#), by committee on Judiciary, a bill for an act establishing a statewide chemical substance abuse monitoring pilot program.

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

[Senate File 2191](#), by committee on Judiciary, a bill for an act establishing an office within the department of public safety to oversee efforts to combat human trafficking.

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

[Senate File 2192](#), by Guth, a bill for an act relating to persons maintaining or overseeing the maintenance of dogs and cats, including animal rescues, animal shelters, and pounds, by requiring reports on the receipt and disposition of the dogs and cats, and including penalties.

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

STUDY BILLS RECEIVED

[SSB 3151](#) **Human Resources**

Concerning treatment of a person with a serious mental impairment who fails to comply with an outpatient treatment order.

[SSB 3152](#) **Human Resources**

Relating to the advanced practice registered nurse interstate compact.

[SSB 3153](#) **Economic Growth**

Concerning the issuance of bonds authorized by the Iowa finance authority relating to projects and bond issuers regardless of location.

SSB 3154 Education

Relating to standards and licensure for certain children's centers.

SSB 3155 Judiciary

Relating to charges and expenses incurred by a county on behalf of prisoners.

SSB 3156 State Government

Relating to the organization and administration of limited partnerships and limited liability companies doing business in Iowa.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2152**

JUDICIARY: Horn, Chair; Garrett and Sodders

Senate File 2165

HUMAN RESOURCES: Allen, Chair; Segebart and Taylor

Senate File 2166

JUDICIARY: Sodders, Chair; Schneider and Taylor

Senate File 2167

STATE GOVERNMENT: Dvorsky, Chair; Chapman and Dearden

Senate File 2171

JUDICIARY: Horn, Chair; Petersen and Whitver

Senate File 2172

JUDICIARY: Petersen, Chair; Quirnbach and Zaun

Senate File 2173

JUDICIARY: Petersen, Chair; Garrett and Taylor

Senate File 2174

JUDICIARY: Sodders, Chair; Kinney and Whitver

[Senate File 2175](#)

JUDICIARY: Bisignano, Chair; Hogg and Schneider

[Senate File 2178](#)

HUMAN RESOURCES: Allen, Chair; Garrett and Taylor

[House File 2147](#)

STATE GOVERNMENT: Horn, Chair; Bertrand and Schoenjahn

[SSB 3151](#)

HUMAN RESOURCES: Mathis, Chair; Allen and Johnson

[SSB 3152](#)

HUMAN RESOURCES: Ragan, Chair; Johnson and Taylor

[SSB 3153](#)

ECONOMIC GROWTH: Bisignano, Chair; Bowman and Guth

[SSB 3154](#)

EDUCATION: Quirnbach, Chair; Behn, Bowman, Dvorsky, Hart, Hogg, Johnson, Kinney, Kraayenbrink, Mathis, Schoenjahn, Schultz, Sinclair, Wilhelm and Zaun

[SSB 3155](#)

JUDICIARY: Sodders, Chair; Kinney and Shipley

[SSB 3156](#)

STATE GOVERNMENT: Petersen, Chair; Bowman and Chapman

FINAL COMMITTEE REPORTS OF BILL ACTION

ECONOMIC GROWTH

Bill Title: [SENATE FILE 2179 \(SSB 3095\)](#), a bill for an act related to the high quality jobs program by allowing additional tax incentives for businesses that use contractors and subcontractors operating or participating in an apprenticeship program and including applicability 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.

HUMAN RESOURCES

Bill Title: *[SENATE FILE 2188](#) (formerly [SF 2075](#)), a bill for an act relating to prescription authority for certain psychologists and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Mathis, Ragan, Johnson, Allen, Bolcom, Chelgren, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm. 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 Human Resources Committee on [Senate File 2188](#), and they were attached to the committee report.

JUDICIARY

Bill Title: [SENATE FILE 2183](#) (formerly [SF 2083](#)), a bill for an act relating to the limitations on criminal actions for the criminal offense of child endangerment.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2184 \(SSB 3077\)](#), a bill for an act relating to civil law provisions, including notice requirements for the disposition of the real property of an estate, notice and document delivery under the trust code, the powers of an agent under a power of attorney, and liability for refusing to accept an acknowledged power of attorney, and including effective date and retroactive and other applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2185 \(SSB 3121\)](#), 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.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2186 \(SSB 3127\)](#), a bill for an act modifying the criminal penalties for a controlled substance that contains cocaine base, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Soddors, Hogg, Bisignano, Horn, Kinney, Petersen, Quirnbach, and Taylor. Nays, 4: Schneider, Garrett, Shipley, and Whitver. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2189 \(SSB 3111\)](#), a bill for an act relating to nonsubstantive Code corrections.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2190 \(SSB 3008\)](#), a bill for an act establishing a statewide chemical substance abuse monitoring pilot program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Soddors, Hogg, Bisignano, Garrett, Kinney, Petersen, Quirnbach, Shipley, Taylor, and Whitver. Nays, 2: Schneider and Horn. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 2191](#) (formerly [SF 2082](#)), a bill for an act establishing an office within the department of public safety to oversee efforts to combat human trafficking.

Recommendation: APPROVED COMMITTEE BILL.

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

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 2191](#), and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: [SENATE FILE 2180](#) (formerly [SF 2027](#)), a bill for an act providing for the appointment of members of the general assembly to serve on the water resources coordinating council.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dearden, Brase, Rozenboom, Behn, Bolkcom, Johnson, Kinney, Petersen, Ragan, Schoenjahn, Seng, Shipley, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2181](#) ([SSB 3045](#)), a bill for an act relating to the funding and operation of programs to collect and dispose of household hazardous materials.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Dearden, Brase, Rozenboom, Behn, Bolkcom, Johnson, Kinney, Petersen, Ragan, Schoenjahn, Seng, Shipley, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2182](#) (formerly [SF 2028](#)), a bill for an act creating a nonprofit organization energy efficiency grant program and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Dearden, Brase, Bolkcom, Kinney, Petersen, Ragan, Schoenjahn, and Seng. Nays, 5: Rozenboom, Behn, Johnson, Shipley, and Zumbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: [SENATE FILE 2187 \(SSB 3083\)](#), a bill for an act relating to the issuance of driver's licenses marked to reflect veteran status.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Horn, Mathis, Segebart, Allen, Chelgren, Costello, Danielson, Hart, Ragan, and Rozenboom. Nays, none. Absent, 1: Soddors.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

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:

STATE GOVERNMENT

Nathaniel Garrels – Commission of Deaf Services