

**PROOF**

---

---

**STATE OF IOWA**

**Senate Journal**

**THURSDAY, FEBRUARY 18, 2016**

---

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-NINTH CALENDAR DAY  
TWENTY-FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, February 18, 2016

The Senate met in regular session at 9:03 a.m., President Jochum presiding.

Prayer was offered by Pastor Ken Rummer of the First Presbyterian Church in Corning, Iowa. He was the guest of Senator Shipley.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Mitchell Sinclair.

The Journal of Wednesday, February 17, 2016, was approved.

## BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate Files 398 and 2182** be referred from the Regular Calendar to the committee on **Appropriations**; and [Senate File 2212](#) be referred from the Regular Calendar to the committee on **Ways and Means**.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:08 a.m. until 1:00 p.m., Monday, February 22, 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:

#### DEPARTMENT OF COMMERCE (BANKING DIVISION)

Bank Required Collateral Report, pursuant to Iowa Code section 12C.20. Report received on February 18, 2016.

#### ECONOMIC DEVELOPMENT AUTHORITY

Annual Report, pursuant to Iowa Code section 15.107B. Report received on February 18, 2016.

Industrial New Jobs Training Program Review, pursuant to Iowa Code section 260E.7. Report received on February 18, 2016.

### CERTIFICATE OF RECOGNITION

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

Kevin Johnson, Sully—For achieving the National September 11<sup>th</sup> Teacher Award. Senator Sinclair.

### REPORTS OF COMMITTEE MEETINGS

#### COMMERCE

**Convened:** Thursday, February 18, 2016, 11:05 a.m.

**Recessed:** 11:10 a.m.

**Reconvened:** 11:30 a.m.

**Members Present:** Petersen, Chair; McCoy, Vice Chair; Anderson, Ranking Member; Allen, Bertrand, Bolkcom, Courtney, Mathis, Schneider, Schoenjahn, Seng, Sinclair, Smith, Sodders, and Zumbach.

**Members Absent:** None.

**Committee Business:** Consideration of [SF 502](#), [SF 2072](#), and [SF 2078](#); and consideration of [SSB 3018](#) and [SSB 3148](#).

**Adjourned:** 12:00 p.m.

**JUDICIARY**

**Convened:** Thursday, February 18, 2016, 9:45 a.m.

**Recessed:** 9:50 a.m.

**Reconvened:** 10:20 a.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:** Organizational meeting.

**Adjourned:** 11:00 a.m.

**LOCAL GOVERNMENT**

**Convened:** Thursday, February 18, 2016, 12:30 p.m.

**Members Present:** Taylor, Chair; Wilhelm, Vice Chair; Smith, Ranking Member; Allen, Bisignano, Brase, Breitbach, Guth, Hart, Quirnbach, and Sinclair.

**Members Absent:** None.

**Committee Business:** Appointment of David Farmer to the County Finance Committee. Approved [SSB 3150](#), as amended.

**Adjourned:** 12:40 p.m.

**NATURAL RESOURCES AND ENVIRONMENT**

**Convened:** Thursday, February 18, 2016, 1:00 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:** Passed [SF 2003](#), as amended; and approved [SSB 3125](#), as amended.

**Adjourned:** 1:45 p.m.

## INTRODUCTION OF RESOLUTION

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

## INTRODUCTION OF BILLS

[Senate File 2237](#), by committee on Education, a bill for an act relating to the state preschool program by establishing a preschool expansion incentive, authorizing state aid for the incentive, and addressing program costs.

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

[Senate File 2238](#), by committee on Human Resources, a bill for an act relating to the reporting of child abuse of a child who has been sexually abused or prostituted by a person other than a caretaker and making penalties applicable.

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

[Senate File 2239](#), by committee on Judiciary, a bill for an act establishing a criminal penalty for violent repeat offenders, reducing earned time for offenders required to participate in batterers' education under certain circumstances, providing for risk assessments, and relating to electronic tracking and monitoring.

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

[Senate File 2240](#), by committee on Judiciary, a bill for an act prohibiting employers and employment agencies from seeking the criminal record or criminal history from applicants for employment under certain circumstances, establishing a criminal history employment application task force, providing penalties, and including effective date provisions.

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

[Senate File 2241](#), by committee on State Government, a bill for an act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the name of the surcharge fund.

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

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

[Senate File 2243](#), by committee on Labor and Business Relations, a bill for an act providing for employment leave for prenatal appointments and providing penalties.

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

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

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

[Senate File 2245](#), by committee on State Government, a bill for an act requesting interim committees relating to confidentiality provisions under Iowa's open records law.

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

[Senate File 2246](#), by Feenstra, a bill for an act relating to state funds, concerning the state bond repayment fund and the water quality initiative fund, making transfers and appropriations, and including effective date provisions.

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

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

[Senate File 2248](#), by committee on Transportation, a bill for an act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable.

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

[Senate File 2249](#), by committee on Agriculture, a bill for an act requiring that agreements to terminate farm tenancies be in writing.

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

[Senate File 2250](#), by committee on Human Resources, a bill for an act providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions.

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

#### SUBCOMMITTEE ASSIGNMENT

[Senate File 2128](#)

(Reassigned)

STATE GOVERNMENT: Courtney, Chair; Dearden and Schultz

#### FINAL COMMITTEE REPORTS OF BILL ACTION

##### AGRICULTURE

**Bill Title:** [SENATE FILE 2249 \(SSB 3079\)](#), a bill for an act requiring that agreements to terminate farm tenancies be in writing.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Seng, Ragan, Zumbach, Anderson, Bowman, Brase, Hart, Kapucian, Kinney, Rozenboom, Shipley, Soddors, and Taylor. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**EDUCATION**

**Bill Title:** [SENATE FILE 2237 \(SSB 3140\)](#), a bill for an act relating to the state preschool program by establishing a preschool expansion incentive, authorizing state aid for the incentive, and addressing program costs.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Quirnbach, Schoenjahn, Bowman, Dvorsky, Hart, Hogg, Kinney, Mathis, and Wilhelm. Nays, 6: Sinclair, Behn, Johnson, Kraayenbrink, Schultz, and Zaun. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [\\*SENATE JOINT RESOLUTION 2007 \(SSB 3132\)](#), a joint resolution nullifying administrative rules increasing fees assessed by the board of educational examiners and including effective date provisions.

**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 Joint Resolution 2007](#), and they were attached to the committee report.

**HUMAN RESOURCES**

**Bill Title:** [SENATE FILE 2238](#) (formerly [SF 2141](#)), a bill for an act relating to the reporting of child abuse of a child who has been sexually abused or prostituted by a person other than a caretaker and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Mathis, Ragan, Johnson, Allen, Bolkcom, Chelgren, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [\\*SENATE FILE 2250 \(SSB 3143\)](#), a bill for an act providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions.



**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Mathis, Ragan, Johnson, Allen, Bolkcom, 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 2250](#), and they were attached to the committee report.

## JUDICIARY

**Bill Title:** \*[SENATE FILE 2239 \(SSB 3104\)](#), a bill for an act establishing a criminal penalty for violent repeat offenders, reducing earned time for offenders required to participate in batterers' education under certain circumstances, providing for risk assessments, and relating to electronic tracking and monitoring.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Soddors, Schneider, Bisignano, Garrett, Horn, Petersen, Quirnbach, Shipley, Taylor, Whitver, and Zaun. Nays, none. Absent, 2: Hogg and Kinney.

**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 2239](#), and they were attached to the committee report.

## ALSO:

**Bill Title:** \*[SENATE FILE 2240](#) (formerly [SF 84](#)), a bill for an act prohibiting employers and employment agencies from seeking the criminal record or criminal history from applicants for employment under certain circumstances, establishing a criminal history employment application task force, providing penalties, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 7: Soddors, Bisignano, Horn, Kinney, Petersen, Quirnbach, and Taylor. Nays, 5: Schneider, Garrett, Shipley, Whitver, and Zaun. Absent, 1: Hogg.

**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 2240](#), and they were attached to the committee report.

**LABOR AND BUSINESS RELATIONS**

**Bill Title:** \*[SENATE FILE 2243](#) (formerly [SF 2097](#)), a bill for an act providing for employment leave for prenatal appointments and providing penalties.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Bisignano, Seng, Shipley, Brase, Courtney, Dearden, Dotzler, and Sodders. Nays, 3: 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 2243](#), and they were attached to the committee report.

**STATE GOVERNMENT**

**Bill Title:** [SENATE FILE 2241](#) ([SSB 3145](#)), a bill for an act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the name of the surcharge fund.

**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.

**ALSO:**

**Bill Title:** [SENATE FILE 2242](#) ([SSB 3147](#)), 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.

**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.

**ALSO:**

**Bill Title:** \*[SENATE FILE 2245](#) ([SSB 3088](#)), a bill for an act requesting interim committees relating to confidentiality provisions under Iowa's open records law.

**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.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 2245](#), and they were attached to the committee report.

#### TRANSPORTATION

**Bill Title:** [SENATE FILE 2244](#) (formerly [SF 2015](#)), a bill for an act relating to persons with disabilities registration plates for motor vehicles owned by irrevocable trusts.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Bowman, Dvorsky, Kapucian, Brase, Breitbach, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, McCoy, Quirnbach, and Smith. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### ALSO:

**Bill Title:** \*[SENATE FILE 2247 \(SSB 3124\)](#), a bill for an act relating to the use of licenses and advertisements by motor vehicle dealers and wholesalers, and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Bowman, Dvorsky, Kapucian, Brase, Breitbach, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, McCoy, Quirnbach, and Smith. 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 Transportation Committee on [Senate File 2247](#), and they were attached to the committee report.

#### ALSO:

**Bill Title:** \*[SENATE FILE 2248 \(SSB 3110\)](#), a bill for an act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Bowman, Dvorsky, Kapucian, Brase, Breitbart, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, McCoy, Quirnbach, and Smith. 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 Transportation Committee on [Senate File 2248](#), and they were attached to the committee report.

AMENDMENT FILED

[S-5010](#)      [S.F. 2198](#)      Jeff Danielson