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**STATE OF IOWA**

**Senate Journal**

**TUESDAY, FEBRUARY 28, 2017**

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# JOURNAL OF THE SENATE

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FIFTY-FIRST CALENDAR DAY  
THIRTY-THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, February 28, 2017

The Senate met in regular session at 9:00 a.m., President Whitver presiding.

Prayer was offered by Reverend Terry Pollard, pastor of the United Methodist Church in New Sharon, Iowa. He was the guest of Senator Rozenboom.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Katie Decker.

The Journal of Monday, February 27, 2017, was approved.

## CONSIDERATION OF RESOLUTION (Regular Calendar)

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

### [Senate Resolution 9](#)

On motion of Senator Bowman, [Senate Resolution 9](#), a resolution recognizing December 10, 2017, as Tim O'Connell Day in Iowa, with report of committee recommending passage, was taken up for consideration.

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

### SPECIAL GUEST

Senator Bowman introduced to the Senate chamber winner of the Professional Rodeo Cowboys Association Bareback Riding World Championship, Tim O'Connell, accompanied by his family.

He addressed the Senate with brief remarks.

The Senate rose and expressed its congratulations.

### ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:55 a.m. until 9:00 a.m., Wednesday, March 1, 2017.

### APPENDIX

#### CERTIFICATE OF RECOGNITION

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

James Curtis of Boy Scout Troop 108, Humboldt, Iowa—For achieving the rank of Eagle Scout. Senator Kraayenbrink.

#### REPORTS OF COMMITTEE MEETINGS

##### COMMERCE

**Convened:** Monday, February 27, 2017, 4:40 p.m.

**Members Present:** Anderson, Chair; Petersen, Ranking Member; Allen, Bertrand, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Sinclair, Zaun, and Zumbach.

**Members Absent:** Breitbach, Vice Chair (excused).

**Committee Business:** Passed SSBs 1043 and 1045, both as amended; passed SSBs 1098, 1115, 1116, 1120, 1121, and 1122.

**Adjourned:** 5:25 p.m.

##### JUDICIARY

**Convened:** Monday, February 27, 2017, 3:30 p.m.

**Members Present:** Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair.

**Members Absent:** Shipley (excused).

**Committee Business:** Passed SSBs 1023, 1096, and 1127; passed [SSB 1131](#), as amended; approved [SF 22](#), as amended.

**Adjourned:** 4:40 p.m.

#### STATE GOVERNMENT

**Convened:** Wednesday, February 8, 2017, 2:15 p.m.

**Members Present:** Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Anderson, Bowman, Brown, Danielson, Dawson, Horn, Jochum, Petersen, Schneider, Schultz, and Zaun.

**Members Absent:** Feenstra (excused).

**Committee Business:** Passed [SSB 1033](#) and [SSB 1051](#), as amended.

**Adjourned:** 2:50 p.m.

#### ALSO:

**Convened:** Wednesday, February 22, 2017, 2:10 p.m.

**Members Present:** Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Anderson, Bowman, Brown, Danielson, Dawson, Feenstra, Horn, Jochum, Petersen, Schneider, Schultz, and Zaun.

**Members Absent:** None.

**Committee Business:** Passed SSBs 1081 and 1108. Governor's appointments.

**Adjourned:** 2:30 p.m.

#### ALSO:

**Convened:** Monday, February 27, 2017, 3:20 p.m.

**Members Present:** Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Brown, Danielson, Dawson, Feenstra, Horn, Jochum, Petersen, Schneider, Schultz, and Zaun.

**Members Absent:** Anderson and Bowman (both excused).

**Committee Business:** Governor's appointments.

**Adjourned:** 3:25 p.m.

**ALSO:**

**Convened:** Tuesday, February 28, 2017, 10:10 a.m.

**Recessed:** 11:15 a.m.

**Reconvened:** 12:20 p.m.

**Members Present:** Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Anderson, Bowman, Brown, Danielson, Dawson, Feenstra, Horn, Jochum, Petersen, Schneider, Schultz, and Zaun.

**Members Absent:** None.

**Committee Business:** Passed SSBs 1056, 1080, 1104, 1110, 1111, 1112, 1113, 1126, and 1129.

**Adjourned:** 12:55 p.m.

**TRANSPORTATION**

**Convened:** Tuesday, February 28, 2017, 3:05 p.m.

**Members Present:** Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Anderson, Bisignano, Brown, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

**Members Absent:** Bertrand (excused).

**Committee Business:** Passed SSBs 1038 and 1079. Approved [SF 211](#).

**Adjourned:** 3:40 p.m.

**INTRODUCTION OF BILLS**

[Senate File 363](#), by Zaun, a bill for an act relating to the rental of dwelling units and manufactured or mobile home spaces by preempting certain regulations by cities and counties and the rights of landlords to terminate rental agreements.

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

[Senate File 364](#), by D. Johnson, a bill for an act relating to the creation of a water quality control board.

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

[Senate File 365](#), by D. Johnson, a bill for an act relating to county funding of mental health and disability services and the mental health and disability services property tax levy and including effective date provisions.

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

[Senate File 366](#), by Feenstra, a bill for an act relating to contracts licensing the television media rights for the Iowa high school athletic association's state championships and including applicability provisions.

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

[Senate File 367](#), by Mathis, a bill for an act relating to campaigns for public office by requiring certain independent expenditure donor disclosures and providing judicial standards related to libelous statements in published campaign materials.

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

[Senate File 368](#), by Mathis and Ragan, a bill for an act relating to Medicaid managed care improvements, and including effective date provisions.

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

[Senate File 369](#), by Mathis, a bill for an act concerning facilities licensed to provide inpatient psychiatric treatment and services and the psychiatric bed tracking system.

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

[Senate File 370](#), by Bolkcom, a bill for an act relating to the appointment of a special prosecutor after a peace officer discharges a firearm while on duty that results in a bodily injury, serious injury, or death.

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

[Senate File 371](#), by Rozenboom, a bill for an act relating to the distribution formula used for the juvenile detention home fund.

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

[Senate File 372](#), by Danielson, a bill for an act relating to the activities and duties of the state board of regents and the board's administrative office.

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

[Senate File 373](#), by committee on Veterans Affairs, a bill for an act relating to service in the national guard and reserve components of the armed forces, including applicability of reemployment protections, and military justice jurisdiction and statutes of limitation.

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

[Senate File 374](#), by committee on Judiciary, a bill for an act relating to providing legal assistance to indigent persons in criminal proceedings.

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

[Senate File 375](#), by committee on Commerce, a bill for an act relating to the assessment of certain subdivided real property and including applicability provisions.

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

[Senate File 376](#), by committee on Judiciary, a bill for an act relating to disclosure of asbestos bankruptcy trust claims in civil asbestos actions, asbestos and silica claims prioritization, and successor corporation asbestos-related liability, and including applicability provisions.

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

[Senate File 377](#), by Petersen, a bill for an act providing for school breakfast programs for public school students in kindergarten through grade three, making an appropriation, and providing a repeal.

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

[Senate File 378](#), by Petersen, a bill for an act providing for training on suicide awareness and prevention for school personnel and crisis plans for attendance centers.

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

[Senate File 379](#), by Mathis, a bill for an act relating to permissible uses for school district funding received for a home school assistance program and including effective date and applicability provisions.

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

[Senate File 380](#), by Mathis, a bill for an act relating to subacute care facilities licensed by the department of inspections and appeals.

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

[Senate File 381](#), by Mathis, a bill for an act providing for the registration of eligible electors upon review of electronic records received from state agencies and including effective date provisions.

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



## STUDY BILLS RECEIVED

**SSB 1170 Commerce**

Relating to workers' compensation and including effective date and applicability provisions.

**SSB 1171 Natural Resources and Environment**

Relating to snowmobile registration and use of moneys from the special snowmobile fund.

**SSB 1172 Local Government**

Relating to the enforcement of immigration laws and providing penalties and remedies, including the denial of state funds to certain entities.

**SSB 1173 Judiciary**

Relating to criminal sentencing by modifying criminal penalties for cocaine base, making inapplicable certain provisions relating to mandatory sentences, mandatory minimum sentences, limitations on parole and work release, and limitations on earned time.

**SSB 1174 Natural Resources and Environment**

Relating to the commercial and noncommercial harvest of turtles, including effective date provisions.

**SSB 1175 Judiciary**

Relating to offensive and dangerous weapons, and the justifiable use of reasonable and deadly force, including carrying, possessing, transferring, and acquiring weapons, the purchase and regulation of such weapons, providing penalties, and including effective date and applicability provisions.

**SSB 1176**      **Judiciary**

Creating the compassionate use of medical cannabis preparations Act, reclassifying marijuana, including tetrahydrocannabinols, from a schedule I controlled substance to a schedule II controlled substance, providing for civil and criminal penalties and fees, and including effective date provisions.

**SSB 1177**      **Judiciary**

Relating to law enforcement profiling by standardizing collection and centralizing the compilation and reporting of officer stop and compliant data, providing for officer training, creating a community policing advisory board, providing for penalties and remedies, and including effective date provisions.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 282**

(Reassigned)

HUMAN RESOURCES: Greene, Chair; Bolkcom and Shipley

**Senate File 287**

AGRICULTURE: Rozenboom, Chair; Kinney and Segebart

**Senate File 293**

AGRICULTURE: Shipley, Chair; Kinney and Zumbach

**Senate File 310**

AGRICULTURE: Edler, Chair; Kinney and Zumbach

**Senate File 328**

AGRICULTURE: Zumbach, Chair; Brown and Kinney

**Senate File 334**

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Anderson and Kinney

**Senate File 335**

JUDICIARY: Garrett, Chair; Bisignano and Schultz

[Senate File 336](#)

JUDICIARY: Garrett, Chair; Bisignano and Schultz

[Senate File 345](#)

TRANSPORTATION: Breitbach, Chair; Anderson and Bowman

[Senate File 346](#)

VETERANS AFFAIRS: Costello, Chair; Allen and Bertrand

[Senate File 347](#)

JUDICIARY: Dawson, Chair; Garrett and Taylor

[Senate File 353](#)

AGRICULTURE: Zumbach, Chair; Costello and Kinney

[Senate File 364](#)

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Dvorsky and Shipley

[Senate File 365](#)

WAYS AND MEANS: Feenstra, Chair; Brown and Jochum

[Senate File 366](#)

COMMERCE: Feenstra, Chair; Boulton and Zumbach

[Senate File 368](#)

HUMAN RESOURCES: Shipley, Chair; Costello and Ragan

[Senate File 369](#)

HUMAN RESOURCES: Segebart, Chair; Mathis and Shipley

[House File 202](#)

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Anderson and Dvorsky

[House File 218](#)

TRANSPORTATION: Breitbach, Chair; Brown and Danielson

[House File 241](#)

VETERANS AFFAIRS: Costello, Chair; Bowman and Dawson

[House File 253](#)

JUDICIARY: Sinclair, Chair; Shipley and Taylor

[House File 309](#)

COMMERCE: C. Johnson, Chair; Allen and Zumbach

[SSB 1170](#)

COMMERCE: Breitbach, Chair; Anderson and Boulton

[SSB 1171](#)

NATURAL RESOURCES: Rozenboom, Chair; Breitbach and D. Johnson

[SSB 1172](#)

LOCAL GOVERNMENT: Garrett, Chair; Guth and McCoy

[SSB 1173](#)

JUDICIARY: Shipley, Chair; Dawson and Petersen

[SSB 1174](#)

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Lykam and Shipley

[SSB 1175](#)

JUDICIARY: Dawson, Chair; Bisignano and Zaun

[SSB 1176](#)

JUDICIARY: Zaun, Chair; Dawson and Taylor

[SSB 1177](#)

JUDICIARY: Schneider, Chair; Petersen and Zaun

## FINAL COMMITTEE REPORTS OF BILL ACTION

## COMMERCE

**Bill Title:** [SENATE FILE 375 \(SSB 1116\)](#), a bill for an act relating to the assessment of certain subdivided real property and including applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Anderson, Petersen, Allen, Bertrand, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Breitbach.

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

## JUDICIARY

**Bill Title:** [SENATE FILE 374 \(SSB 1023\)](#), a bill for an act relating to providing legal assistance to indigent persons in criminal proceedings.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

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

## ALSO:

**Bill Title:** [SENATE FILE 376 \(SSB 1095\)](#), a bill for an act relating to disclosure of asbestos bankruptcy trust claims in civil asbestos actions, asbestos and silica claims prioritization, and successor corporation asbestos-related liability, and including applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Zaun, Dawson, Edler, Garrett, Schneider, Schultz, Shipley, and Sinclair. Nays, 5: Taylor, Bisignano, Boulton, Kinney, and Petersen. Absent, none.

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

## VETERANS AFFAIRS

**Bill Title:** [SENATE FILE 197](#), a bill for an act concerning the display of the POW/MIA flag on public buildings.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Costello, Rozenboom, Horn, Allen, Bowman, Dawson, Edler, Lofgren, Ragan, and Segebart. Nays, none. Absent, 1: Bertrand.

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

**ALSO:**

**Bill Title:** [SENATE FILE 373 \(SSB 1077\)](#), a bill for an act relating to service in the national guard and reserve components of the armed forces, including applicability of reemployment protections, and military justice jurisdiction and statutes of limitation.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Costello, Rozenboom, Horn, Allen, Bowman, Dawson, Edler, Lofgren, Ragan, and Segebart. Nays, none. Absent, 1: Bertrand.

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