

*State of Iowa*

**JOURNAL  
OF THE SENATE**

**EIGHTY-SIXTH  
GENERAL ASSEMBLY**

**2016 REGULAR SESSION**

**Volume I**

**PAM JOCHUM, President of the Senate  
MICHAEL E. MARSHALL, Secretary of the Senate**

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Des Moines



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EIGHTY-SIXTH GENERAL ASSEMBLY  
2016 Regular Session

OFFICERS OF THE SENATE

PAM JOCHUM, <i>President of the Senate</i> .....	Dubuque
STEVEN J. SODDERS, <i>President Pro Tempore</i> .....	State Center
MICHAEL E. GRONSTAL, <i>Majority Leader</i> .....	Council Bluffs
JOE BOLKCOM, <i>Majority Whip</i> .....	Iowa City
WILLIAM A. DOTZLER, JR., <i>Assistant Majority Leader</i> .....	Waterloo
MATT McCOY, <i>Assistant Majority Leader</i> .....	Des Moines
AMANDA RAGAN, <i>Assistant Majority Leader</i> .....	Mason City
MARY JO WILHELM., <i>Assistant Majority Leader</i> .....	Cresco
BILL DIX, <i>Minority Leader</i> .....	Shell Rock
JACK WHITVER, <i>Minority Whip</i> .....	Ankeny
RICK BERTRAND, <i>Assistant Minority Leader</i> .....	Sioux City
RANDY FEENSTRA, <i>Assistant Minority Leader</i> .....	Hull
TIM L. KAPUCIAN, <i>Assistant Minority Leader</i> .....	Keystone
CHARLES SCHNEIDER, <i>Assistant Minority Leader</i> .....	West Des Moines
DAN ZUMBACH, <i>Assistant Minority Leader</i> .....	Ryan
MICHAEL E. MARSHALL, <i>Secretary of the Senate</i> .....	West Des Moines
TOM ASHWORTH, <i>Minority Caucus Senior Research Analyst</i> .....	Carlisle
ERIC BAKKER, <i>Senior Administrative Asst. to Majority Leader II</i> .....	Cumming
MICHELLE BAUER, <i>Administrative Services Officer</i> .....	
KRIS BELL, <i>Majority Caucus Senior Research Analyst</i> .....	West Des Moines
JENNIFER BEMINIO, <i>Administrative Services Officer</i> .....	Des Moines
K'ANN BRANDT, <i>Administrative Services Officer III</i> .....	

JOSHUA BRONSINK, <i>Minority Caucus Research Analyst III</i> .....	Des Moines
LOIS BROWNELL, <i>Senior Finance Officer III</i> .....	Ankeny
JERRY CARLSON, <i>Sergeant-at-Arms</i> .....	Des Moines
LEILA CARLSON, <i>Postmistress</i> .....	Des Moines
ANGIE COX, <i>Administrative Services Officer II</i> .....	Des Moines
CHRIS DORSEY, <i>Administrative Asst. to Minority Leader I</i> .....	
PAMELA DUGDALE, <i>Minority Caucus Senior Research Analyst</i> .....	West Des Moines
CATHERINE ENGEL, <i>Majority Caucus Research Analyst III</i> .....	West Des Moines
ED FALOR, <i>Senior Administrative Asst. to Minority Leader II</i> .....	
LINDA FLAHERTY, <i>Doorkeeper</i> .....	Des Moines
SUE FOCKE, <i>Majority Caucus Research Analyst III</i> .....	Des Moines
JAMES FRIEDRICH, <i>Minority Caucus Senior Research Analyst</i> .....	Ankeny
BRIDGET GODES, <i>Majority Caucus Senior Research Analyst</i> .....	Des Moines
JANET HAWKINS, <i>Assistant Secretary of the Senate III</i> .....	Bondurant
JAKE HEARD, <i>Minority Caucus Research Analyst</i> .....	
GANNON HENDRICK, <i>Minority Caucus Research Analyst I</i> .....	Maxwell
JESSE HUGHES, <i>Administrative Services Officer</i> .....	Des Moines
ERIC JOHANSEN, <i>Minority Caucus Staff Director</i> .....	
DEBBIE KATTENHORN, Sr. <i>Administrative Asst. to Majority Leader II</i> .....	
THERESA L. KEHOE, <i>Majority Caucus Senior Research Analyst</i> .....	Des Moines
SHARON KIMBERLIN, <i>Doorkeeper</i> .....	Des Moines
WILLIAM KRIEG, <i>Doorkeeper</i> .....	Des Moines
ROBERT LANGBEHN, <i>Doorkeeper</i> .....	Des Moines
JO ANN LARSON, <i>Switchboard Operator</i> .....	Indianola
FRANK LOEFFEL, <i>Doorkeeper</i> .....	Des Moines

RUSTY MARTIN, <i>Majority Caucus Communications Director</i> .....	Des Moines
JACE MIKELS, <i>Majority Caucus Research Analyst III</i> .....	West Des Moines
JACK MILLER, <i>Doorkeeper</i> .....	Des Moines
ROBYN MILLS, <i>Admin Assistant to Senate President I</i> .....	Johnston
JAY MOSHER, <i>Bill Clerk</i> .....	Milo
KATHY OLAH, <i>Administrative Services Officer III</i> .....	West Des Moines
RON PARKER, <i>Majority Caucus Senior Staff Director</i> .....	Des Moines
CHRISTINE PORTER, <i>Switchboard Operator</i> .....	Indianola
DALE SCHROEDER, <i>Doorkeeper</i> .....	Des Moines
KERRY SCOTT, <i>Majority Caucus Research Analyst III</i> .....	
ERICA SHANNON STUEVE, <i>Admin Assistant to Senate President III</i> .....	Indianola
BETTY SHEA, <i>Administrative Services Officer I</i> .....	Altoona
ERICA SHORKEY, <i>Majority Caucus Senior Research Analyst</i> .....	Des Moines
JULIE T. SIMON, <i>Majority Caucus Senior Research Analyst</i> .....	Des Moines
KATHY STACHON, <i>Senate Lobbyist Clerk</i> .....	Des Moines
MAUREEN TAYLOR, <i>Administrative Services Officer I</i> .....	Des Moines
RUSS TRIMBLE, <i>Minority Caucus Senior Research Analyst</i> .....	West Des Moines
LARISSA WURM, <i>Minority Caucus Communications Director</i> .....	

JOINT EMPLOYEES OF THE SENATE AND HOUSE

MARK L. WILLEMSSEN, *Senior Facilities Manager*..... Johnston

ZACHARY L. BUNKERS, *Conservation/Restoration Specialist II*..... Des Moines

MAC McBRIDE, *Conservation/Restoration Specialist II*.....

SHAWNA S. FERGUSON, *Legislative Security Coordinator*..... Norwalk

KATHLEEN BACUS, *Security Officer I*..... Knoxville

ROBERT CORNWELL, *Security Officer I*..... Johnston

JODY ELLIOT, *Security Officer*.....

CURTIS HENDERSON, *Security Officer*.....

TIM KNAPP, *Security Officer I*.....

BARB MALONE, *Security Officer I*..... Pleasant Hill

RANDY MARCHANT, *Security Officer I*.....

GERALD McCURDY, *Security Officer I*..... Des Moines

KERT SCHNELL, *Security Officer I*..... Newton

CURTIS SCOTT, *Security Officer I*..... Waukee

GORDON SKEFFINGTON, *Security Officer I*..... Waukee

LEO R. SKEFFINGTON, *Security Officer I*..... Adel

RICHARD TAYLOR, *Security Officer I*..... Earlham

SHIRLEY ROACH, *Senior Copy Center Operator*..... Des Moines

BRANDIE GARDINER, *Assistant Copy Center Operator*.....



## ELECTED STATE OFFICIALS

Official Address: Des Moines, Iowa

TERRY E. BRANSTAD, <i>Governor</i> .....	Des Moines
KIM REYNOLDS, <i>Lieutenant Governor</i> .....	Osceola
PAUL D. PATE, <i>Secretary of State</i> .....	Cedar Rapids
MARY MOSIMAN, <i>Auditor of State</i> .....	Ames
MICHAEL L. FITZGERALD, <i>Treasurer of State</i> .....	Waukee
BILL NORTHEY, <i>Secretary of Agriculture</i> .....	Spirit Lake
TOM MILLER, <i>Attorney General</i> .....	Des Moines

## JUSTICES OF THE IOWA SUPREME COURT

MARK S. CADY, <i>Chief Justice</i> .....	Fort Dodge
BRENT R. APPEL, <i>Justice</i> .....	Ackworth
DARYL L. HECHT, <i>Justice</i> .....	Sioux City
EDWARD M. MANSFIELD, <i>Justice</i> .....	Des Moines
THOMAS D. WATERMAN, <i>Justice</i> .....	Pleasant Valley
DAVID S. WIGGINS, <i>Justice</i> .....	West Des Moines
BRUCE B. ZAGER, <i>Justice</i> .....	Waterloo

## JUDGES OF THE IOWA COURT OF APPEALS

DAVID DANILSON, <i>Chief Judge</i> .....	Boone
THOMAS N. BOWER, <i>Judge</i> .....	Cedar Falls
RICHARD H. DOYLE, <i>Judge</i> .....	Des Moines
CHRISTOPHER LEE McDONALD, <i>Judge</i> .....	Des Moines
MICHAEL R. MULLINS, <i>Judge</i> .....	Washington
GAYLE NELSON VOGEL, <i>Judge</i> .....	Spirit Lake
AMANDA POTTERFIELD, <i>Judge</i> .....	Tiffin
MARY TABOR, <i>Judge</i> .....	Des Moines
ANURADHA VAITHESWARAN, <i>Judge</i> .....	Des Moines

# MEMBERS OF THE SENATE

## EIGHTY-SIXTH GENERAL ASSEMBLY 2016 Regular Session

(Underlined county indicates the county of residence.)

### CHAZ ALLEN

Address ..... Newton  
Age ..... 45  
Occupation ..... Exec Dir., Jasper Co Economic Development Corp  
Political Party ..... Democratic  
Previous Legislative Service ..... 2015  
Senatorial District ..... 15-Jasper, Polk

### BILL ANDERSON

Address ..... Pierson  
Age ..... 38  
Occupation ..... Small Business Owner/Policy Advisor, Congressman Steve King  
Political Party ..... Republican  
Previous Legislative Service ..... Senate: 2011–2015  
Senatorial District ..... 3–Plymouth, Woodbury

### JERRY BEHN

Address ..... Boone  
Age ..... 62  
Occupation ..... Farmer/Agribusiness  
Political Party ..... Republican  
Previous Legislative Service ..... Senate: 1997–2015  
Senatorial District ..... 24-Boone, Greene, Hamilton, Story, Webster

### RICK BERTRAND

Address ..... Sioux City  
Age ..... 46  
Political Party ..... Republican  
Previous Legislative Service ..... Senate: 2011–2015  
Senatorial District ..... 7-Woodbury

### TONY BISIGNANO

Address ..... Des Moines  
Age ..... 63  
Occupation ..... Retired  
Political Party ..... Democratic  
Previous Legislative Service ..... House: 1987–1992; Senate: 1993–1996, 2015  
Senatorial District ..... 17-Polk

**JOE BOLKCOM**

Address ..... Iowa City  
 Age ..... 59  
 Occupation ..... Outreach Dir., UI Center for Global and Regional  
 Environmental Research and Iowa Flood Center  
 Political Party ..... Democratic  
 Previous Legislative Service ..... Senate: 1999–2015  
 Senatorial District ..... 43–Johnson

**TOD BOWMAN**

Address ..... Maquoketa  
 Age ..... 50  
 Occupation ..... Educator  
 Political Party ..... Democratic  
 Previous Legislative Service ..... Senate: 2011–2015  
 Senatorial District ..... 29–Dubuque, Jackson, Jones

**CHRIS BRASE**

Address ..... Muscatine  
 Age ..... 53  
 Occupation ..... Firefighter/Paramedic  
 Political Party ..... Democratic  
 Previous Legislative Service ..... Senate: 2013–2015  
 Senatorial District ..... 46–Muscatine, Scott

**MICHAEL BREITBACH**

Address ..... Strawberry Point  
 Age ..... 59  
 Occupation ..... Business Owner  
 Political Party ..... Republican  
 Previous Legislative Service ..... Senate: 2013–2015  
 Senatorial District ..... 28–Allamakee, Clayton, Fayette, Winneshiek

**JAKE CHAPMAN**

Address ..... Adel  
 Age ..... 31  
 Occupation ..... Businessman/EMT  
 Political Party ..... Republican  
 Previous Legislative Service ..... Senate: 2013–2015  
 Senatorial District ..... 10–Adair, Cass, Dallas, Guthrie, Polk

**MARK CHELGREN**

Address ..... Ottumwa  
 Age ..... 47  
 Occupation ..... Entrepreneur  
 Political Party ..... Republican  
 Previous Legislative Service ..... Senate: 2011–2015  
 Senatorial District ..... 41–Davis, Jefferson, Van Buren, Wapello

**MARK COSTELLO**

Address ..... Imogene  
 Age ..... 54  
 Occupation ..... Farmer  
 Political Party ..... Republican  
 Previous Legislative Service ..... 2015  
 Senatorial District ..... 12–Fremont, Mills, Montgomery, Page, Taylor, Ringgold

**THOMAS G. COURTNEY**

Address ..... Burlington  
 Age ..... 68  
 Occupation ..... Retired  
 Political Party ..... Democratic  
 Previous Legislative Service ..... Senate: 2003–2015  
 Senatorial District ..... 44–Des Moines, Louisa, Muscatine

**JEFF DANIELSON**

Address ..... Cedar Falls  
 Age ..... 45  
 Occupation ..... Career Firefighter, City of Cedar Falls  
 Political Party ..... Democratic  
 Previous Legislative Service ..... Senate: 2005–2015  
 Senatorial District ..... 30–Black Hawk

**DICK L. DEARDEN**

Address ..... Des Moines  
 Age ..... 77  
 Occupation ..... Retired Job Developer–5th Judicial District  
 Political Party ..... Democratic  
 Previous Legislative Service ..... Senate: 1995–2015  
 Senatorial District ..... 16–Polk

**BILL DIX**

Address ..... Shell Rock  
 Age ..... 53  
 Occupation ..... Farmer  
 Political Party ..... Republican  
 Previous Legislative Service ..... House: 1997–2007; Senate: 2011–2015  
 Senatorial District ..... 25–Butler, Grundy Hardin, Story

**WILLIAM A. DOTZLER, JR.**

Address ..... Waterloo  
 Age ..... 68  
 Occupation ..... Retired–John Deere  
 Political Party ..... Democratic  
 Previous Legislative Service ..... House: 1997–2002; Senate: 2003–2015  
 Senatorial District ..... 31–Black Hawk

**ROBERT E. DVORSKY**

Address ..... Coralville  
 Age ..... 67  
 Occupation ..... Retired Executive Officer–Community Based Corrections  
 Political Party ..... Democratic  
 Previous Legislative Service ..... House: 1987–1993; Senate: 1994\*–2015  
 Senatorial District ..... 37–Cedar, Johnson, Muscatine  
 \*Elected in special election held on February 22, 1994.

**RANDY FEENSTRA**

Address ..... Hull  
 Age ..... 47  
 Occupation ..... Finance and Insurance–Iowa State Bank/ Adjunct Professor  
 Political Party ..... Republican  
 Previous Legislative Service ..... Senate: 2009–2015  
 Senatorial District ..... 2–Cherokee, O'Brien, Plymouth, Sioux

**JULIAN B. GARRETT**

Address ..... Indianola  
 Age ..... 75  
 Political Party ..... Republican  
 Previous Legislative Service ..... House: 2011–2013\*; Senate: 2013–2015  
 Senatorial District ..... 13–Madison, Warren  
 \*Elected to the Senate in special election held on November 19, 2013.

**MICHAEL E. GRONSTAL**

Address ..... Council Bluffs  
 Age ..... 66  
 Political Party ..... Democratic  
 Previous Legislative Service ..... House: 1983–1984; Senate: 1985–2015  
 Senatorial District ..... 8–Pottawattamie

**DENNIS GUTH**

Address ..... Klemme  
 Age ..... 60  
 Occupation ..... Farmer  
 Political Party ..... Republican  
 Previous Legislative Service ..... Senate: 2013–2015  
 Senatorial District ..... 4–Emmet, Hancock, Kossuth, Winnebago, Wright

**RITA HART**

Address ..... Wheatland  
 Age ..... 59  
 Occupation ..... Farmer  
 Political Party ..... Democratic  
 Previous Legislative Service ..... Senate: 2013–2015  
 Senatorial District ..... 49–Clinton, Scott

**ROBERT M. HOGG**

Address ..... Cedar Rapids  
 Age ..... 49  
 Occupation ..... Attorney  
 Political Party ..... Democratic  
 Previous Legislative Service ..... House: 2003–2006; Senate: 2007–2015  
 Senatorial District ..... 33–Linn

**WALLY E. HORN**

Address ..... Cedar Rapids  
 Age ..... 82  
 Occupation ..... Legislator  
 Political Party ..... Democratic  
 Previous Legislative Service ..... House: 1973–1982; Senate: 1983–2015  
 Senatorial District ..... 35–Linn

**PAM JOCHUM**

Address..... Dubuque  
 Age..... 61  
 Occupation..... Legislator  
 Political Party..... Democratic  
 Previous Legislative Service..... House: 1993–2008; Senate: 2009–2015  
 Senatorial District..... 50–Dubuque

**DAVID JOHNSON**

Address..... Ocheyedan  
 Age..... 65  
 Occupation..... Fmr Dairy Herdsman/ Newspaper Owner-Editor/  
 Polar Research/Agribusiness  
 Political Party..... Republican  
 Previous Legislative Service..... House: 1999–2002; Senate: 2003–2015  
 Senatorial District..... 1–Clay, Dickinson, Lyon, Osceola, Palo Alto

**TIM L. KAPUCIAN**

Address..... Keystone  
 Age..... 59  
 Occupation..... Farmer  
 Political Party..... Republican  
 Previous Legislative Service..... Senate: 2009–2015  
 Senatorial District..... 38–Benton, Iowa, Poweshiek

**KEVIN KINNEY**

Address..... Oxford  
 Age..... 52  
 Occupation..... Retired Deputy Sheriff/ Farmer  
 Political Party..... Democratic  
 Previous Legislative Service..... 2015  
 Senatorial District..... 39–Johnson, Keokuk, Washington

**TIM KRAAYENBRINK**

Address..... Fort Dodge  
 Age..... 56  
 Occupation..... Investment Advisor  
 Political Party..... Republican  
 Previous Legislative Service..... 2015  
 Senatorial District..... 5–Calhoun, Humboldt, Pocahontas, Webster

**LIZ MATHIS**

Address ..... Cedar Rapids  
Age ..... 58  
Occupation ..... Non-profit Executive  
Political Party ..... Democratic  
Previous Legislative Service ..... Senate: 2012\*–2015  
Senatorial District ..... 34–Linn

\*Elected in special election held on November 8, 2011.

**MATT McCOY**

Address ..... Des Moines  
Age ..... 50  
Occupation ..... Owner of Resource Development Consultants (RDC)  
Political Party ..... Democratic  
Previous Legislative Service ..... House: 1993–1996; Senate: 1997–2015  
Senatorial District ..... 21–Polk, Warren

**JANET PETERSEN**

Address ..... Des Moines  
Age ..... 45  
Occupation ..... Marketing Communications Consultant  
Political Party ..... Democratic  
Previous Legislative Service ..... House: 2001–2012; Senate: 2013–2015  
Senatorial District ..... 18–Polk

**HERMAN C. QUIRMBACH**

Address ..... Ames  
Age ..... 65  
Occupation ..... Associate Professor of Economics–Iowa State University  
Political Party ..... Democratic  
Previous Legislative Service ..... Senate: 2003–2015  
Senatorial District ..... 23–Story

**AMANDA RAGAN**

Address ..... Mason City  
Age ..... 61  
Occupation ..... Executive Dir. of Community Kitchen N Iowa/  
Executive Dir. of Meals on Wheels  
Political Party ..... Democratic  
Previous Legislative Service ..... Senate: 2002\*–2015  
Senatorial District ..... 27–Butler, Cerro Gordo, Franklin

\*Elected in special election held on March 12, 2002.



**KEN ROZENBOOM**

Address ..... Oskaloosa  
 Age ..... 64  
 Occupation ..... Farming/Ag Business  
 Political Party ..... Republican  
 Previous Legislative Service ..... Senate: 2013–2015  
 Senatorial District ..... 40–Appanoose, Mahaska, Marion, Monroe, Wapello

**CHARLES SCHNEIDER**

Address ..... West Des Moines  
 Age ..... 42  
 Occupation ..... Counsel–Principal Financial Group  
 Political Party ..... Republican  
 Previous Legislative Service ..... Senate: 2013\*–2015  
 Senatorial District ..... 22–Dallas, Polk  
 \*Elected in special election held on December 11, 2012.

**BRIAN SCHOENJAHN**

Address ..... Arlington  
 Age ..... 66  
 Occupation ..... Legislator/EMT–Arlington Fire Department  
 Political Party ..... Democratic  
 Previous Legislative Service ..... Senate: 2005–2015  
 Senatorial District ..... 32–Black Hawk, Bremer, Buchanan, Fayette

**JASON SCHULTZ**

Address ..... Schleswig  
 Age ..... 43  
 Occupation ..... Farmer  
 Political Party ..... Republican  
 Previous Legislative Service ..... House: 2009–2013; Senate: 2015  
 Senatorial District ..... 9–Crawford, Harrison, Ida, Monona, Shelby, Woodbury

**MARK SEGEBART**

Address ..... Vail  
 Age ..... 65  
 Occupation ..... Farmer  
 Political Party ..... Republican  
 Previous Legislative Service ..... Senate: 2013–2015  
 Senatorial District ..... 6–Audubon, Buena Vista, Carroll, Crawford, Sac

**JOE M. SENG**

Address ..... Davenport  
 Age ..... 69  
 Occupation ..... Veterinarian  
 Political Party ..... Democratic  
 Previous Legislative Service ..... House: 2001–2002; Senate: 2003–2015  
 Senatorial District ..... 45–Scott

**TOM SHIPLEY**

Address ..... Nodaway  
 Age ..... 62  
 Occupation ..... Farmer/Legislator  
 Political Party ..... Republican  
 Previous Legislative Service ..... 2015  
 Senatorial District ..... 11–Adams, Cass, Pottawattamie, Union

**AMY SINCLAIR**

Address ..... Allerton  
 Age ..... 40  
 Political Party ..... Republican  
 Previous Legislative Service ..... Senate: 2013–2015  
 Senatorial District ..... 14–Clarke, Decatur, Jasper, Lucas  
 Marion, Wayne

**ROBY SMITH**

Address ..... Davenport  
 Age ..... 38  
 Occupation ..... Small Business Owner  
 Political Party ..... Republican  
 Previous Legislative Service ..... Senate: 2011–2015  
 Senatorial District ..... 47–Scott

**STEVEN J. SODDERS**

Address ..... State Center  
 Age ..... 46  
 Occupation ..... Deputy Sheriff  
 Political Party ..... Democratic  
 Previous Legislative Service ..... Senate: 2009–2015  
 Senatorial District ..... 36–Black Hawk, Marshall, Tama

**RICH TAYLOR**

Address ..... Mt Pleasant  
 Age ..... 61  
 Occupation ..... Master HVAC/R Technician/Master Electrician  
 Political Party ..... Democratic  
 Previous Legislative Service ..... Senate: 2013–2015  
 Senatorial District ..... 42–Henry, Jefferson, Lee, Washington

**JACK WHITVER**

Address ..... Ankeny  
 Age ..... 35  
 Occupation ..... Business Owner/Attorney  
 Political Party ..... Republican  
 Previous Legislative Service ..... Senate: 2011\*–2015  
 Senatorial District ..... 19–Polk

\*Elected in special election held on January 18, 2011.

**MARY JO WILHELM**

Address ..... Cresco  
 Age ..... 61  
 Occupation ..... Appraiser  
 Political Party ..... Democratic  
 Previous Legislative Service ..... Senate: 2009–2015  
 Senatorial District ..... 26–Cerro Gordo, Chickasaw, Floyd, Howard,  
 Mitchell, Winneshiek, Worth

**BRAD ZAUN**

Address ..... Urbandale  
 Age ..... 54  
 Occupation ..... Director–Master Dowel/Director–Grapnel Tech Services  
 Political Party ..... Republican  
 Previous Legislative Service ..... Senate: 2005–2015  
 Senatorial District ..... 20–Polk

**DAN ZUMBACH**

Address ..... Ryan  
 Age ..... 55  
 Occupation ..... Farmer  
 Political Party ..... Republican  
 Previous Legislative Service ..... Senate: 2013–2015  
 Senatorial District ..... 48–Buchanan, Delaware, Jones, Linn



# JOURNAL OF THE SENATE

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FIRST CALENDAR DAY  
FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, January 11, 2016

The Senate met in regular session at 10:04 a.m., President Jochum presiding.

Prayer was sung by Susan Kalb, music minister of the Cathedral of St. Raphael in Dubuque, Iowa. She was the guest of President Jochum.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Thomas G. Courtney, member of the Senate from Des Moines County, Burlington, Iowa.

## OPENING REMARKS BY THE PRESIDENT OF THE SENATE

President Jochum addressed the Senate with the following remarks:

Good Morning.

Welcome back. Hopefully during the interim you were able to rejuvenate and enjoy some quality time with family and friends.

This is a hopeful time of the year when we ring in a New Year and a new legislative session. It is a time to look back and reflect, and it is a time to look forward to what we will do to make Iowa better for all Iowans.

So, as we're driving down the newly paved highway, and looking in the rearview mirror, the 2015 interim brought about a few changes—the Senate will be working with new House leaders this session.

I'd like to congratulate Representative Linda Upmeyer and Representative Chris Hagenow in their new roles and thank Speaker Paulsen for his service and leadership. Representative Upmeyer is the first woman to be elected Speaker of the Iowa House, and for the first time in Iowa history a woman is serving as the presiding officer in both the House and the Senate.

We also said good-bye to Representative Jack Drake after a battle with cancer. Jack and I were elected to the Iowa House in the same year. Representative Drake was always respectful to other members, even in disagreement.

On a more personal note, my family gave a final farewell to my father. Dad passed on December 14th from congestive heart failure. Last year at this time, he held the Bible for me as Chief Justice Cady swore me into office as President of the Senate.

The 2015 session went into overtime but on June 3rd, the House and Senate reached an agreement on funding education and passed a balanced budget. Unfortunately, major pieces of that agreement were vetoed.

There were also an unprecedented number of unilateral decisions made behind closed doors that bypassed the legislative branch—decisions to privatize the entire Medicaid system, to close two mental health institutes, and to cut \$48 million in taxes by administrative rule, to mention a few.

We can each decide if those ideas will improve the lives of Iowans. Only time holds the answer.

The issues that linger are trust, transparency, the checks and balance of power, and the rule of law. Trust is the lifeblood of our democracy. It is the bond between the people and their government and it is the bond between all of us serving in government.

There's unfinished business.

The 60-day delay of the Governor's proposed Medicaid managed care plan by the Centers for Medicare and Medicaid Services (CMS) was welcomed by thousands of Iowans. However, the results of privatization in other States have not produced the promised results.

Therefore, I urge the House Republicans to pass SF 452 that provides for comprehensive oversight IF CMS gives its final approval. Furthermore, we need to work together to ensure there are safeguards in place that will protect our most vulnerable citizens and our local providers if this moves forward.

This is a time to look forward. The Iowa Presidential precinct caucuses are just around the corner. Next year at this time, our nation will be swearing a new President

into office as well as a new Congress and a new Iowa Legislature. As hard as it may be to resist at times, let's make a pledge to remain focused on governing for the next 100 days and leave the campaigning for the remaining 202 days.

It's been said, "Politicians look to the next election. Statesmen and Stateswomen look to the next generation." Let's be the statesmen and women who do just that. It is the next generation I want to focus on today.

- There are 725,954 children in Iowa.
- 108,888 Iowa children are poor—that means a family of four is living on less than \$23,834 a year.
- 1 in 15 children in Iowa live in extreme poverty, or living in a household with less than \$11,917 a year.
- Nearly 7,000 Iowa public school students were homeless in the 2012–13 school year.
- Nearly 20 percent of our children lived in households that lacked access to adequate food.
- On a brighter note, 89 percent of Iowa public high school students graduated on time in 2012, placing Iowa 1st among states.
- 11,345 children were abused or neglected in 2013.
- 15,897 children between the ages of 10–17 were arrested in Iowa in 2012.
- Iowa spent 2.8 times as much per prisoner as per public school student in FY 2012.

These are the children of our next generation. These are the children of our future. We have to do better. What is disturbing is that Iowa is faring better than most states.

As the statistics reveal, the rungs of the economic ladder have grown farther apart. Poverty and income inequality can no longer be dismissed or ignored, nor can violence in homes and gun violence among our youth. It is time for a "New War on Poverty and Inequality." It is time to focus on working families and expand the middle class. It is time to make the promise of equality and opportunity for all a reality.

We cannot just cut our way to prosperity. We must out-educate, out-innovate and out-build the world. That requires an investment in our "human" capital. It's up to the

States and local governments. New federal policies to address these problems seem highly unlikely.

I urge the House Republicans to pass SF 269. Let's set a wage floor of \$8.75, give 181,000 Iowans a raise, most of whom are women and children, and THEN we can focus on a living wage. According to the Iowa Department of Economic Development, a family of four needs a minimum of \$45,000 (\$25 an hour) to be financially independent to meet its basic needs. Let's get to work on increasing the household income of Iowa's working families. And that begins with education—educating our young children, ensuring affordable higher education and expanding robust worker skills programs at our community colleges.

Education is the engine that moves us forward. It is the hub of economic growth and opportunity. We cannot afford to undercut education again this year. I urge the House Republicans to pass our anti-bullying bill so that students have a secure and healthy educational environment in which to learn, AND to work with us to reach an agreement on adequate and equitable school funding by February 11th that ensures quality, meets the needs of students, and improves student learning. Every student, regardless of ZIP code, deserves a quality 21st century education.

In short, we need better-educated Iowans, we need more young Iowans, we need better-paid Iowans, we need an Iowa where there are “fields of opportunities”.

In the words of former U.S. Senator Paul Wellston, “We all do better when we all do better.” Let's work together so that next January when the 2017 session opens, we can look back and say, “All Iowans did better”.

Thank you.

## REMARKS BY THE MAJORITY LEADER

Senator Gronstal addressed the Senate with the following remarks:

Welcome to the first day of the 2016 session of the Iowa Legislature.

Our focus this year must be bringing more workers and their families into Iowa's middle class.

Iowans are counting on us. Based on the events of the last year, here are two steps that should receive strong, bipartisan support in the Iowa Senate, the Iowa House and in the Governor's office.

One, we should expand educational opportunities and, two, we should strengthen the health care safety net all Iowa families count on.

Our children and grandchildren must be better prepared for the challenges of the 21st Century economy. If we want more high-wage, high-skill jobs in Iowa, we must do more to prepare Iowans to fill those jobs.



That's why we must invest more in K12 and higher education. This includes increased state aid to our local K-12 schools for the next two years by an amount that will increase educational opportunities.

We must also invest more in our universities and community colleges.

We must break the pattern of the last few years when the Governor and Iowa House leaders successfully insisted on inadequate funding for our local schools.

Look at the results: more crowded classrooms, fewer advanced courses, and higher property taxes.

Last year, House leaders refused to provide adequate funding in the Education Budget to continue the in-state tuition freeze at our state universities. They also refused to make adequate investments in Iowa's community colleges.

Those mistakes are making it harder for students from middle-class families to get ahead. Those mistakes are also making it more difficult for Iowa businesses to hire the skilled workers they need.

In 2016, we can and must do better.

Every Iowa family counts on the Medicaid safety net when faced with the most severe medical challenges.

Everyone in this chamber has talked with constituents whose family health care costs would bankrupt the financial resources of 99% of all Iowa families. Rather than dismissing their well-founded concerns, we should listen and take action.

During the summer and fall, Senate Democrats organized 17 listening posts in every corner of the state because we wanted to hear first-hand what Medicaid recipients, their families and health care providers had to say about Medicaid privatization.

Iowans—Democrats, Republicans and Independents—told us that the privatization scheme developed unilaterally by the Branstad/Reynolds Administration is a poorly planned, poorly implemented mess.

There is much we can do to help fix this problem. If we want to help, we can.

We can ensure that all Iowans have access to high-quality, affordable health care.

Last year, the House refused to take up the Senate's Medicaid oversight legislation. That was a mistake.

This year, I hope that the events of the past six months and the outcry from their constituents will have changed their minds.

And I also hope we will agree on legislation to stop the Branstad/Reynolds Administration from closing Iowa's remaining Mental Health Institutes.

Voting for quality, effective mental health care is a matter of human decency and public safety.

It is time to stop outsourcing mental health care onto local police departments, county jails and local property taxpayers.

Much has happened since the Legislature was last in session.

During that time, everyone in this statehouse—State Representatives, State Senators, the Governor and Lt. Governor—have told our constituents that we support:

- Better education for our children, and
- High quality, affordable health care

Here's my main point today.

It's not enough to tell your constituents that you agree with them on better schools and better health care.

Talk is cheap. We all know that.

Let's not forget that failing to invest in education and health care is certain to be ruinously expensive.

Starting today at the Capitol, it's time to back up your words with action.

We can do it. And we can do it this year.

But to get this accomplished in 2016, Senate Democrats need willing partners.

We need people willing to find solutions, people from the Senate Republicans, the House Republicans, the House Democrats, and Governor Branstad and Lt. Governor Reynolds.

We need your support. We need your votes.

Your constituents, your families and your state need less talk and more action. So, let's get to work!

Thank you.

## REMARKS BY THE MINORITY LEADER

Senator Dix addressed the Senate with the following remarks:

Thank you Madam President.

The memory of the last winter storm remains fresh in our minds as it blanketed much of Iowa with snow and ice two weeks ago. Prior to the storm, many Iowans flocked to the stores to ensure they had milk, bread and other necessities. Iowans understand the importance of being prepared when such a storm strikes.

Iowans expect the same sense of preparedness from their elected officials. Senate Republicans have called for such action and it has fallen upon deaf ears in this chamber. For the past several years, I have stood here—in this spot on the opening day of the legislative session—and stressed the seriousness of getting our state spending under control. Senate Republicans have long warned, if we do nothing to curb the appetite to spend the money of hard-working Iowans there would be consequences. Senate Republicans predicted a financial storm was coming unless we changed these reckless spending habits. Colleagues, this storm is no longer on the horizon. We are in the eye of the storm—seeking shelter is not an option.

This is a problem which requires action, and more important—leadership. Leadership is not pointing fingers, raising our voices or grandstanding with the intentions of questioning someone's integrity. It is about rolling up our sleeves, working together to get to the crux of the matter and providing a solution. As we have witnessed repeatedly in the last several years, when state cost-cutting measures were proposed they faced great resistance. The burden of leadership is making tough choices that fly in the face of what some may want because it is the right thing to do. One of those solutions is to quench that never-ending thirst to overspend the people's money. It is time to lead. This is what Iowans expect and demand from their elected officials.

Do not fool yourselves; Iowans are watching and fully understand the challenges we face. Ask the farmer who took a loss on last year's corn crop. Reach out to a northwest Iowa poultry producer devastated by last spring's avian flu. Talk to a small business owner who struggles to make ends meet due to increasing health care costs and rising tax burdens.

We must face some undeniable facts. State revenues continue to come in below projections. The Ag economy is not as stable as in recent years due to lagging livestock and commodity prices. We also were dealt a significant blow last spring when the avian flu ravaged that sector of the economy. Colleagues, all of these factors affect Iowa's state budget.

Senate Republicans will continue to stress the importance of controlled spending and treat our state budget as we do our family budget—which means we must not spend more than we receive. It is vital we do not overpromise only to under deliver.

We will discuss education at great lengths this legislative session—and we should. We must ensure we keep our promises and budget responsibly when it comes to education. There is too much at stake for our children and taxpayers if we fail to honor those commitments. Keeping our word to students and educators is essential.

It would be a disservice to our youth and businesses across the state if we do not offer them the means to compete in a global economy. Remember colleagues, the vehicle that drives the world economy is fueled locally, whether that is in Harlan, Shell Rock or Red Oak. It is essential to give job creators in our rural communities and all across Iowa the tools necessary to have a presence in a world marketplace, and then get out of their way so they can succeed.

Though the last winter storm may be a memory, the financial storm we face remains a present and constant concern. I ask you today to work with Senate Republicans to weather this storm. Together, we can accomplish great things in creating a legacy of opportunity for all Iowans and making our great state even stronger. Let's Make it Happen!

### COMMITTEE FROM THE HOUSE

A committee from the House appeared and notified the Senate that the House was duly organized and ready to receive any communication the Senate might be ready to transmit.

### COMMITTEE TO NOTIFY THE HOUSE

Senator Gronstal moved that a committee of three be appointed to notify the House of Representatives that the Senate was organized and ready for business.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Petersen, Chair; Dotzler and Kraayenbrink.

### COMMITTEE TO NOTIFY THE GOVERNOR

Senator Gronstal moved that a committee of three be appointed to notify the Governor that the Senate was organized and ready to receive any communication that he might be ready to transmit.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Taylor, Chair; Dvorsky and Segebart.

### RECESS

On motion of Senator Gronstal, the Senate recessed at 10:36 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 10:43 a.m., President Jochum presiding.

SUPPLEMENTAL REPORT OF OFFICERS AND EMPLOYEES OF THE SENATE

Senator Gronstal asked and received unanimous consent to take up the following report of the committee on Rules and Administration:

MADAM PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following persons as permanent officers and employees of the Senate for the 2016 Session of the Eighty-sixth General Assembly:

President of the Senate's Office

Administrative Assistant ..... Robyn Mills
Admin. Sec. to President ..... Nigel Habben

Republican Caucus

Legislative Research Analyst ..... Jake Heard
Admin. Sec. to Leader ..... Alexander Etgeton

Secretaries to Senators

Committee Secretary ..... Noah Canady
Committee Secretary ..... Ben Cobley
Committee Secretary ..... Linda Hansen
Committee Secretary ..... Abreya Higgins
Committee Secretary ..... Aaron Johnson
Committee Secretary ..... Randy Kane
Committee Secretary ..... Hannah Nell
Committee Secretary ..... Shawn Riley
Committee Secretary ..... Kyle Warren
Secretary ..... Theresa Beal
Secretary ..... Anne Marie Burnett
Secretary ..... Brittany Gaura
Secretary ..... Linda Hartkopf
Secretary ..... Sally Kraayenbrink
Secretary ..... Julie Mickelson
Secretary ..... Joseph Mitchell
Secretary ..... Megan Mutchler
Secretary ..... Erik Sandahl
Secretary ..... Kimberlee Spillers

MICHAEL GRONSTAL, Chair

Senator Gronstal moved the adoption of the report and appointment of the permanent officers and employees of the Senate.

The motion prevailed by a voice vote, and the foregoing officers and employees appeared before the bar of the Senate and were duly sworn.

### SPECIAL GUESTS

President Jochum introduced to the Senate chamber the Honorable Pat Deluhery, former member of the Senate from Scott County, Davenport, Iowa; and the Honorable Tom Miller, Attorney General of the State of Iowa.

The Senate rose and expressed its welcome.

### REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

Senator Taylor reported that the committee assigned to notify the Governor that the Senate was organized and ready for business had performed its duty.

The report was accepted, and the committee was discharged.

### REPORT OF THE COMMITTEE TO NOTIFY THE HOUSE

Senator Petersen reported that the committee assigned to notify the House that the Senate was organized and ready for business had performed its duty.

The report was accepted, and the committee was discharged.

### APPOINTMENT OF PAGES

Senator Gronstal asked and received unanimous consent to take up the following report of the committee on Rules and Administration:

MADAM PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following persons as pages for the Senate for the 2016 Session of the Eighty-sixth General Assembly:

Hannah Dettmann, Lockridge  
Philip Kiely, Clive  
Lindsay Larkin, Davenport  
Kira Le, Cedar Falls  
Samantha Lofthouse, West Des Moines

Casey Nickel, Ankeny  
Cade Olmstead, Waverly  
Ashton Price, Winterset  
Mitchell Sinclair, Allerton  
Kasey Springsteen, Lisbon  
Sarah Thompson, West Des Moines  
Emily Turek, Orange City

MICHAEL GRONSTAL, Chair

Senator Gronstal moved the adoption of the report and the appointment of the Senate pages.

The motion prevailed by a voice vote, and the foregoing Senate pages appeared before the bar of the Senate and were duly sworn to their oaths of office.

The Senate stood at ease at 10:53 a.m. until the fall of the gavel.

The Senate resumed session at 11:04 a.m., President Jochum presiding.

#### HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 11, 2016, **adopted** the following resolution in which the concurrence of the Senate is asked:

**House Concurrent Resolution 101**, a concurrent resolution to provide for a joint session of the two houses of the 2016 session of the Eighty-sixth General Assembly to be held on Tuesday, January 12, 2016, at 10:00 a.m.

Read first time and **placed on calendar**.

#### CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Concurrent Resolution 101.

## House Concurrent Resolution 101

On motion of Senator Gronstal, **House Concurrent Resolution 101**, a concurrent resolution to provide for a joint session of the two houses of the 2016 session of the Eighty-sixth General Assembly to be held on Tuesday, January 12, 2016, at 10:00 a.m., was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 101, which motion prevailed by a voice vote.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:07 a.m. until 9:00 a.m., Tuesday, January 12, 2016.

## APPENDIX

### REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MADAM PRESIDENT: Your committee on Rules and Administration submits the following names of officers and employees of the Senate for the Eighty-sixth General Assembly, 2016 Session, and their respective classifications, grades and steps:

		<u>CLASS</u>	<u>GRADE</u>	<u>STEP</u>
Administrative Asst. to Leader I	Robyn Mills	P-FT	29	3
Legislative Research Analyst	Jake Heard	P-FT	27	1
Admin. Sec. to President	Nigel Habben	S-O	21	1
Admin. Sec. to Leader	Alexander Etgeton	S-O	21	1
Legislative Committee Secretary	Noah Canady	S-O	17	1
Legislative Committee Secretary	Ben Cobley	S-O	18	1
Legislative Committee Secretary	Linda Hansen	S-O	18	1
Legislative Committee Secretary	Abreya Higgins	S-O	18	1
Legislative Committee Secretary	Aaron Johnson	S-O	18	1
Legislative Committee Secretary	Randy Kane	S-O	18	1
Legislative Committee Secretary	Hannah Nell	S-O	18	1
Legislative Committee Secretary	Shawn Riley	S-O	18	1
Legislative Committee Secretary	Kyle Warren	S-O	18	1
Legislative Secretary	Theresa Beal	S-O	16	1
Legislative Secretary	Anne Marie Burnett	S-O	16	6
Legislative Secretary	Brittany Gaura	S-O	17	1
Legislative Secretary	Linda Hartkopf	S-O	15	1
Legislative Secretary	Sally Kraayenbrink	S-O	16	1
Legislative Secretary	Julie Mickelson	S-O	18	1
Legislative Secretary	Joseph Mitchell	S-O	16	1

Legislative Secretary	Megan Mutchler	S-O	17	1
Legislative Secretary	Erik Sandahl	S-O	16	1
Legislative Secretary	Kimberlee Spillers	S-O	16	1
Page	Hannah Dettmann	S-O	9	1
Page	Philip Kiely	S-O	9	1
Page	Lindsay Larkin	S-O	9	1
Page	Kira Le	S-O	9	1
Page	Samantha Lofthouse	S-O	9	1
Page	Casey Nickel	S-O	9	1
Page	Cade Olmstead	S-O	9	1
Page	Ashton Price	S-O	9	1
Page	Mitchell Sinclair	S-O	9	1
Page	Kasey Springsteen	S-O	9	1
Page	Sarah Thompson	S-O	9	1
Page	Emily Turek	S-O	9	1

MICHAEL E. GRONSTAL, Chair

## REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 1, the committee on Rules and Administration submits the following increases, reclassifications, and effective dates of Senate employees:

Sr. Admin. Asst. to Ldr. II to Sr. Legis. Research Analyst	Kris Bell	Grade 41, Step 8 to Grade 38, Step 8 Effective 7/15
Admin. Asst. to Ldr. I to Admin. Asst. to Ldr. III	Erica Shannon Stueve	Grade 29, Step 3 to Grade 35, Step 1 Effective 7/15
Legis. Research Analyst II	Aaron Todd	Resigned Effective 7/15
Legis. Research Analyst	Bob Bird	Resigned Effective 10/15
Admin. Sec. to Ldr. to Legis. Comm. Sec.	Taylor Van De Krol	Grade 21, Step 1 to Grade 18, Step 1 Effective 1/16

MICHAEL E. GRONSTAL, Chair

## ASSIGNMENT OF SEATS IN THE PRESS GALLERY 2016 SESSION

Seat No.

51. Staff
52. Des Moines Register—WILLIAM PETROSKI, JASON NOBLE, TONY LEYS, JENNIFER JACOBS, BRIANNE PFANNENSTIEL
53. The Associated Press—CATHERINE LUCEY, BARBARA RODRIGUEZ
54. Radio Iowa News Network—O. KAY HENDERSON, DAR DANIELSON



- 55. Single Day—Visitor
- 56. Dubuque Telegraph Herald—WILLIAM GARBE, DAVE KETTERING
- 57. Iowa Public Radio—JOYCE RUSSELL, SARAH BODEN
- 58. The Cedar Rapids Gazette—ROD BOSHART, JAMES LYNCH
- 59. Single Day—Visitor
- 60. Lee Enterprises—ERIN MURPHY
- 61. Staff
- 62. Single Day—Visitor
- 63. Iowa Legislative News Service—JACK HUNT, BARBARA HUNT
- 64. WHO—DAVE PRICE, MIKE DASILVA, STEPHANIE MOORE, MEGAN REUTHER, JUSTIN SURRENCY, JODI WHITWORTH, ROGER RILEY, JOSH NGUYEN, REID CHANDLER, JANNAY TOWNE.

### 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 ADMINISTRATIVE SERVICES

Capitol Planning Commission Report, pursuant to Iowa Code section 8A.373. Report received on October 28, 2015.

Affirmative Action, Diversity, and Multicultural Programs Report, pursuant to Iowa Code section 19B.5(2). Report received on October 1, 2015.

Goals and Objectives Agency Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 11, 2015.

Internal Service Fund Expenditure Report, pursuant to Iowa Code section 8A.123(5)(b). Report received on October 1, 2015.

State Employee Retirement Incentive Program (SERIP) Report, pursuant to 2010 Iowa Acts, SF 2062, section 1(6)(c). Report received on November 9, 2015.

#### DEPARTMENT ON AGING

Interagency Dementia Proficient Workforce Task Force Report, pursuant to 2015 Iowa Acts, Chapter 137, section 73. Report received on December 16, 2015.

#### DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Loess Hills Development and Conservation Authority Report, pursuant to Iowa Code section 161D.8(1). Report received on January 6, 2016.

Southern Iowa Development and Conservation Authority Report, pursuant to Iowa Code section 161D.13. Report received on January 6, 2016.

Watershed Planning Advisory Council Report, pursuant to Iowa Code section 466B.31(3). Report received on January 4, 2016.

#### STATE APPEAL BOARD

Claims Report. Report received on January 11, 2016.

#### AUDITOR OF STATE

Combined Report of the Institutions under the Control of the Department of Corrections, pursuant to Iowa Code section 11.2. Report received on November 30, 2015.

Combined Report of the Institutions under the Control of the Department of Human Services, pursuant to Iowa Code section 11.2. Report received on November 30, 2015.

Combined Report of Recommendations to the Eight Judicial District Departments of Correctional Services, pursuant to Iowa Code section 11.6. Report received on October 30, 2015.

Independent Auditor's Report on the Clean Water Program and the Drinking Water Program for Year Ended June 30, 2014, pursuant to Iowa Code section 11.6. Report received on July 16, 2015.

Independent Auditor's Report on Honey Creek Resort Operations Account, pursuant to Iowa Code section 11.24. Report received on December 11, 2015.

Independent Auditor's Report on the Iowa Centennial Memorial Foundation, pursuant to Iowa Code section 11.2. Report received on July 22, 2015.

Independent Auditor's Report on the Iowa Corn Promotion, pursuant to Iowa Code section 11.6. Report received on December 11, 2015.

Independent Auditor's Report on the Iowa State Fair Authority, pursuant to Iowa Code section 11.2. Report received on July 24, 2015.

Iowa Public Television Infrastructure Appropriations Status Report for Year Ending June 30, 2015, pursuant to Iowa Code section 11.6. Report received on December 31, 2015.

Report of Recommendations to the Governor's Office of Drug Control Policy, pursuant to Iowa Code section 11.4. Report received on July 29, 2015.

Report of Recommendations to the Iowa Braille and Sight Saving School, pursuant to Iowa Code section 11.4. Report received on July 22, 2015.

Report of Recommendations to the Iowa College Student Aid Commission, pursuant to Iowa Code section 11.4. Report received on August 18, 2015.

Report of Recommendations to the Iowa Communications Network, pursuant to Iowa Code section 11.4. Report received on September 29, 2015.

Report of Recommendations to the Iowa Department on Aging, pursuant to Iowa Code section 11.4. Report received on August 18, 2015.

Report of Recommendations to the Iowa Department for the Blind, pursuant to Iowa Code section 11.4. Report received on August 18, 2015.

Report of Recommendations to the Iowa Department of Commerce, pursuant to Iowa Code section 11.4. Report received on August 6, 2015.

Report of Recommendations to the Iowa Department of Education, pursuant to Iowa Code section 11.4. Report received on July 29, 2015.

Report of Recommendations to the Iowa Department of Human Rights, pursuant to Iowa Code section 11.4. Report received on August 18, 2015.

Report of Recommendations to the Iowa Department of Human Services—Central Distribution Center, pursuant to Iowa Code section 11.4. Report received on August 26, 2015.

Report of Recommendations to the Iowa Department of Human Services—Collection and Reporting System, pursuant to Iowa Code section 11.4. Report received on December 11, 2015.

Report of Recommendations to the Iowa Department of Human Services—Kindertrack System 3/30/15–4/17/15, pursuant to Iowa Code section 11.4. Report received on December 11, 2015.

Report of Recommendations to the Iowa Department of Human Services—Targeted Case Management System 3/31/14–4/18/14, pursuant to Iowa Code section 11.4. Report received on December 11, 2015.

Report of Recommendations to the Iowa Department of Inspections and Appeals, pursuant to Iowa Code section 11.4. Report received on September 30, 2015.

Report of Recommendations to the Iowa Department of Justice, pursuant to Iowa Code section 11.4. Report received on August 13, 2015.

Report of Recommendations to the Iowa Department of Natural Resources, pursuant to Iowa Code section 11.4. Report received on September 29, 2015.

Report of Recommendations to the Iowa Department of Public Health, pursuant to Iowa Code section 11.4. Report received on July 29, 2015.

Report of Recommendations to the Iowa Department of Public Safety, pursuant to Iowa Code section 11.4. Report received on October 29, 2015.

Report of Recommendations to the Iowa Department of Transportation, pursuant to Iowa Code section 11.4. Report received on October 1, 2015.

Report of Recommendations to the Iowa Economic Development Authority, pursuant to Iowa Code section 11.4. Report received on August 26, 2015.

Report of Recommendations to the Iowa Judicial Branch, pursuant to Iowa Code section 11.4. Report received on November 6, 2015.

Report of Recommendations to the Iowa Judicial Branch—County Clerks of District Courts, pursuant to Iowa Code section 11.4. Report received on November 30, 2015.

Report of Recommendations to the Iowa Law Enforcement Academy, pursuant to Iowa Code section 11.4. Report received on August 6, 2015.

Report of Recommendations to the Iowa Public Information Board, pursuant to Iowa Code section 11.4. Report received on September 29, 2015.

Report of Recommendations to the Iowa School for the Deaf, pursuant to Iowa Code section 11.4. Report received on July 22, 2015.

Report of Recommendations to the Iowa State Civil Rights Commission, pursuant to Iowa Code section 11.4. Report received on August 18, 2015.

Report of Recommendations to the Iowa State University of Science and Technology, pursuant to Iowa Code section 11.4. Report received on July 28, 2015.

Report of Recommendations to the Iowa Workforce Development, pursuant to Iowa Code section 11.4. Report received on October 1, 2015.

Report of Recommendations to the University of Northern Iowa, pursuant to Iowa Code section 11.4. Report received on July 29, 2015.

Report of Recommendations to the Iowa Veterans Home, pursuant to Iowa Code section 11.4. Report received on July 29, 2015.

Reversions Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3). Report received on November 20, 2015.

Review of Computer Systems Operated by DOC, DAS, DOR, and IPERS 7/1/99–6/30/14, pursuant to Iowa Code section 11.2. Report received on July 24, 2015.

Review of the Eight Judicial District Department of Correctional Services 7/1/09–6/30/14, pursuant to Iowa Code section 11.6. Report received on July 24, 2015.

Review of the Iowa Department of Administrative Services 4/5/11–2/7/14, pursuant to Iowa Code section 11.6. Report received on November 6, 2015.

Review of the Iowa State University Kuali Financial System 4/30/14–5/28/14, pursuant to Iowa Code section 11.24. Report received on August 14, 2015.

Review of the Sixth Judicial District Department of Correctional Services 7/1/08–6/30/12 Addendum, pursuant to Iowa Code section 11.24. Report received on July 24, 2015.

Review of the University of Iowa MAUI Student Financial Aid System 5/19/14–7/31/14, pursuant to Iowa Code section 11.24. Report received on August 14, 2015.

Review of the University of Northern Iowa Facility Administration and Maintenance Information System (FAMIS) 4/29/14–6/5/14, pursuant to Iowa Code section 11.24. Report received on August 14, 2015.

Special Investigation of the City of Casey 7/1/08–10/31/14, pursuant to Iowa Code section 11.6. Report received on September 2, 2015.

Special Investigation of the City of Defiance 3/12/13–4/30/15, pursuant to Iowa Code section 11.6. Report received on November 6, 2015.

Special Investigation of the City of Dunkerton Police Department 1/1/13–8/31/14, pursuant to Iowa Code section 11.6. Report received on October 20, 2015.

Special Investigation of the City of Garwin 1/1/01–4/30/14, pursuant to Iowa Code section 11.6. Report received on July 16, 2015.

Special Investigation of the City of Garwin Ambulance Service 7/1/10–3/31/15, pursuant to Iowa Code section 11.6. Report received on January 6, 2016.

Special Investigation of the City of Hornick 7/1/03–6/30/14, pursuant to Iowa Code section 11.6. Report received on January 6, 2016.

Special Investigation of the City of Moorland 1/1/08–10/31/13, pursuant to Iowa Code section 11.6. Report received on July 16, 2015.

Special Investigation of the City of Neola 1/1/09–12/31/13, pursuant to Iowa Code section 11.6. Report received on October 29, 2015.

Special Investigation of the Nutrition Department of Northeast Hamilton Community School District 8/1/13–6/4/14, pursuant to Iowa Code section 11.6. Report received on December 3, 2015.

Special Investigation of the Shenandoah Community School District 7/1/12–9/30/14, pursuant to Iowa Code section 11.6. Report received on July 16, 2015.

Special Investigation of the UIHC Department of Orthopedics and Rehabilitation 7/1/99–12/31/14, pursuant to Iowa Code section 11.6. Report received on July 24, 2015.

Special Investigation of the UNI College of Education–Curriculum and Instruction Department 1/1/12–10/31/14, pursuant to Iowa Code section 11.24. Report received on August 18, 2015.

Special Investigation of the West Des Moines Community School District–Western Hills Elementary School 5/22/12–3/15/15, pursuant to Iowa Code section 11.6. Report received on July 24, 2015.

#### DEPARTMENT FOR THE BLIND

Department for the Blind Report, pursuant to Iowa Code section 216B.7. Report received on November 13, 2015.

## CHIEF INFORMATION OFFICER

Internal Service Fund Report, pursuant to Iowa Code section 8B.13. Report received on October 1, 2015.

## COLLEGE STUDENT AID COMMISSION

Barber and Cosmetology Arts and Sciences Tuition Grant Program Report, pursuant to Iowa Code section 261.18(7)(d). Report received on December 16, 2015.

College Student Aid Commission Annual Report, pursuant to Iowa Code section 261.2(8). Report received on December 21, 2015.

College Student Aid Commission Tuition Grant Report, pursuant to Iowa Code section 261.15. Report received on December 16, 2015.

Guaranteed Student Loan Program Report, pursuant to Iowa Code section 261.37(10). Report received on January 11, 2016.

Iowa Grant Program Report, pursuant to Iowa Code section 261.96. Report received on December 16, 2015.

Iowa Vocational —Technical Tuition Grant Program Report, pursuant to Iowa Code section 261.17. Report received on December 16, 2015.

Registered Nurse and Nurse Educator Loan Forgiveness Program Report, pursuant to Iowa Code section 261.23. Report received on December 16, 2015.

Scholarship and Tuition Grant Reserve Fund Report, pursuant to Iowa Code section 261.20(4). Report received on December 16, 2015.

Skilled Workforce Shortage Tuition Grant Program Report, pursuant to Iowa Code section 261.130. Report received on October 28, 2015.

## DEPARTMENT OF COMMERCE (BANKING DIVISION)

Annual Report of Superintendent of Banking, pursuant to Iowa Code section 524.216. Report received on December 18, 2015.

Bank Required Collateral Report, pursuant to Iowa Code section 12C.20. Report received on November 18, 2015.

Financial Literacy Education Expenditures Report, pursuant to 2013 Iowa Acts, HF 648, section 9. Report received on October 1, 2015.

## DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

Cemetery and Funeral Report, pursuant to Iowa Code section 523A.801(3). Report received on October 8, 2015.

Commerce Revolving Fund Revenues and Expenditures Report, pursuant to Iowa Code section 546.12. Report received on October 8, 2015.

Health Spending Costs Report, pursuant to Iowa Code section 505.18(2). Report received on December 21, 2015.

Medical Malpractice Annual CY 2014 Report, pursuant to Iowa Code section 505.27. Report received on December 7, 2015.

#### DEPARTMENT OF CORRECTIONS

Annual Report, pursuant to Iowa Code section 904.115. Report received on January 8, 2016.

Environment First Fund (EFF) Infrastructure Status Report, pursuant to Iowa Code section 8.57A(5). Report received on January 6, 2016.

Monthly Report FY 2015 Ending June 30, 2015, pursuant to Iowa Code section 904.116. Report received on July 13, 2015.

Monthly Report FY 2015 Ending July 31, 2015, pursuant to Iowa Code section 904.116. Report received on September 28, 2015.

Monthly Report FY 2016 Ending September 30, 2015, pursuant to Iowa Code section 904.116. Report received on October 20, 2015.

Monthly Report FY 2016 Ending November 30, 2015, pursuant to Iowa Code section 904.116. Report received on December 4, 2015.

Monthly Report FY 2016 Ending December 31, 2015, pursuant to Iowa Code section 904.116. Report received on January 6, 2016.

Rebuild Iowa Infrastructure (RIIF)—Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on January 6, 2016.

Revenue Bonds Capitals (RBC) Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12.88(4). Report received on January 6, 2016.

Reversions Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3). Report received on July 7, 2015.

Technology Reinvestment Fund (TRF) Report—Infrastructure Status Report, pursuant to Iowa Code section 8.57C. Report received on January 6, 2016.

Tobacco Settlement Trust Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12E.12(9). Report received on January 6, 2016.

#### OFFICE OF DRUG CONTROL POLICY

2016 Iowa Drug Control Strategy Report, pursuant to Iowa Code section 80E.1(2)(b). Report received on November 2, 2015.

## ECONOMIC DEVELOPMENT AUTHORITY

Iowa Commission on Volunteer Services 1/1/15–3/31/15 Report, pursuant to Iowa Code section 15H.2(2)(h). Report received on July 9, 2015.

Iowa Commission on Volunteer Services 7/1/15–9/30/15 Report, pursuant to Iowa Code section 15H.2(2)(h). Report received on December 16, 2015.

## DEPARTMENT OF EDUCATION

Adult Education and Literacy Program Fiscal Year Report, pursuant to Iowa Code section 260C.50. Report received on December 11, 2015.

Charter School and Innovation Zone School Report, pursuant to Iowa Code section 256F.10(2). Report received on January 8, 2016.

Commission on Educator Leadership and Compensation Report, pursuant to Iowa Code section 284.15. Report received on December 16, 2015.

Early ACCESS Council Governor's Report. Report received on January 7, 2016.

English Language Learner Legislative Report, pursuant to Iowa Code section 256.9. Report received on December 9, 2015.

Gap Tuition Assistance Program Fiscal Year Report, pursuant to Iowa Code section 260I. Report received on December 11, 2015.

Interstate Compact on Education of Military Children Report, pursuant to Iowa Code section 256.H.1(10)(o). Report received on December 16, 2015.

Iowa Autism Council Report, pursuant to Iowa Code section 256.35A(4). Report received on December 31, 2015.

Iowa Community Colleges ACE Infrastructure Report, pursuant to Iowa Code section 260G. Report received on December 22, 2015.

Iowa Reading Research Center Annual Report, pursuant to Iowa Code section 256.9. Report received on December 31, 2015.

Job Placement of Individuals with Disabilities—Vocational Rehabilitation Division, pursuant to 2015 Iowa Acts, Chapter 140, section 6. Report received on January 6, 2016.

Kindergarten Literacy Assessment Report, pursuant to Iowa Code section 279.60. Report received on January 8, 2016.

Pathways for Academic Career and Employment (PACE) Program Fiscal Year Report, pursuant to Iowa Code section 260H. Report received on December 11, 2015.

Statewide Work-Based Intermediary Network Fiscal Year Report, pursuant to Iowa Code section 256.40. Report received on December 11, 2015.



Workforce Training and Economic Development (WTED) Fund Annual Report, pursuant to Iowa Code section 260C.18A. Report received on January 11, 2016.

#### BOARD OF EDUCATIONAL EXAMINERS

Administrative Rules Review—Triennial Report, pursuant to Iowa Code section 272.29. Report received on December 29, 2015.

Detailed Financial Report—Licensing Fees, pursuant to Iowa Code section 272.10. Report received on December 31, 2015.

Home Base Iowa—Licensed Professions and Occupations Annual Report, pursuant to Iowa Code 272C.4. Report received on December 9, 2015.

#### HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Iowa Department of Homeland Security and Emergency Management Annual Report FY 2015, pursuant Iowa Code section 7E.3. Report received on December 11, 2015.

Iowa Flood Mitigation Board Annual Report, pursuant to Iowa Code section 418.8. Report received on December 16, 2015.

Review of the E911 Emergency Communication System, pursuant to 2013 Iowa Acts, Chapter 120, section 10. Report received on January 4, 2016.

Technology Reinvestment Fund (TRF) Report—Infrastructure Status Report, pursuant to Iowa Code section 8.57(c). Report received on January 7, 2016.

#### DEPARTMENT OF HUMAN RIGHTS

Community Action Agencies Report, pursuant to Iowa Code section 216A.92(2)(d). Report received on October 28, 2015.

Family Development and Self-Sufficiency Grant Program Report, pursuant to Iowa Code section 216A.107(4)(e). Report received on November 25, 2015.

FY 2015 Annual Report, pursuant to Iowa Code section 216A.2(4)(h). Report received on November 25, 2015.

Individual Development Accounts Report, pursuant to 2013 Iowa Acts, Chapter 143, section 9. Report received on October 20, 2015.

Public Safety Advisory Board Report, pursuant to Iowa Code section 216A.133A(5). Report received on November 25, 2015.

Rebuild Iowa Infrastructure (RIIF) Fund—Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on January 4, 2016.

Reversions Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3). Report received on July 7, 2015.

Sex Offender Research Council Report, pursuant to Iowa Code section 216A.139(5). Report received on November 25, 2015.

#### DEPARTMENT OF HUMAN SERVICES

Autism Support Program Fund Report, pursuant to 2013 Iowa Acts, Chapter 138, section 83. Report received on December 31, 2015.

Child Abuse Registry Report, pursuant to Iowa Code section 235A.23. Report received on December 31, 2015.

Child Welfare Advisory Committee Study Report, pursuant to 2015 Iowa Acts, Chapter 137, section 100. Report received on December 21, 2015.

Children's Mental Health and Well-Being Workgroup Report, pursuant to 2015 Iowa Acts, Chapter 137, section 102. Report received on December 17, 2015.

Dependent Adult Abuse Registry Report, pursuant to Iowa Code section 235B.13. Report received on December 31, 2015.

Drug Utilization Report, pursuant to Iowa Code section 249A.24. Report received on September 30, 2015.

Family Support Subsidy and Children at Home Program Report, pursuant to Iowa Code section 225C.42. Report received on October 30, 2015.

HAWK-I Board Report, pursuant to Iowa Code section 514I.5(7)(g). Report received on January 4, 2016.

Hospital Health Care Access Assessment Program—Transition to Managed Care Report, pursuant to 2015 Iowa Acts, Chapter 137, section 115. Report received on December 17, 2015.

Independent Living Services Report, pursuant to Iowa Code section 234.35(4). Report received on December 31, 2015.

Iowa Individual Assistance Grant Program Report, pursuant to Iowa Code section 29C.20A(5). Report received on January 4, 2016.

Nursing Facility Qualities Assurance Assessment Fee Usage Report, pursuant to Iowa Code section 249L.4. Report received on December 31, 2015.

Psychiatric Medical Institutes for Children Annual Report, pursuant to 2011 Iowa Acts, Chapter 121, section 9. Report received on December 16, 2015.

#### DEPARTMENT OF INSPECTIONS AND APPEALS

Fraud in Public Assistance Programs Report, pursuant to 2014 Iowa Acts, Chapter 1134, section 10. Report received on December 1, 2015.

Racing and Gaming Commission—Exchange Wagering Study, pursuant to 2015 Iowa Acts, Chapter 64. Report received on December 1, 2015.

Reversions Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3). Report received on November 20, 2015.

#### IOWA HIGHER EDUCATION LOAN AUTHORITY

2015 Annual Report, pursuant to Iowa Code section 216A.21. Report received on November 25, 2015.

#### IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

Annual Report for FY 2015, pursuant to Iowa Code section 97B.4(4)(a). Report received on December 22, 2015.

Comprehensive Annual Financial Report (CAFR), pursuant to Iowa Code section 97B.4. Report received on January 6, 2016.

Public Fund Iran Divestment Report for Year Ended June 30, 2015, pursuant to Iowa Code section 12H.5(2). Report received on October 1, 2015.

Public Fund Sudan Divestment Report for Year Ended June 30, 2015, pursuant to Iowa Code section 12F.5(2). Report received on October 1, 2015.

#### IOWA SCHOOLS JOINT INVESTMENT TRUST

Annual Financial Report for Year Ended June 30, 2015, pursuant to Iowa Code section 12b.10A(7). Report received on October 1, 2015.

#### JUDICIAL BRANCH

Court Debt Report, pursuant to Iowa Code section 602.8107(7). Report received on December 11, 2015.

Court Technology and Modernization Fund Report, pursuant to 2013 Iowa Acts, Chapter 133, section 1. Report received on December 29, 2015.

Enhanced Court Collections Fund Report, pursuant to 2013 Iowa Acts, Chapter 133, section 1. Report received on December 29, 2015.

Iowa Judicial Branch Collection of Fines, Fees, Surcharges, and Court Costs Comparison FY 2015 and FY 2014 Report, pursuant to 2012 Iowa Acts, Chapter 1137. Report received on July 28, 2015.

Reversions Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3). Report received on July 7, 2015.

#### DEPARTMENT OF JUSTICE

False Claims Act Annual Report, pursuant to 2010 Iowa Acts, Chapter 1031, section 345. Report received on August 4, 2015.

Iowa Consumer Credit Code Annual Report, pursuant to Iowa Code section 537.6104(5). Report received on July 14, 2015.

## IOWA LOTTERY AUTHORITY

Annual Report, pursuant to Iowa Code section 99G.7. Report received on December 18, 2015.

Government Oversight Report, pursuant to Iowa Code section 99G.7. Report received on December 31, 2015.

Quarter Ended June 30, 2015 Final Report, pursuant to Iowa Code section 99G.7. Report received on September 29, 2015.

Quarter Ended September 30, 2015 Final Report, pursuant to Iowa Code section 99G.7. Report received on October 28, 2015.

## DEPARTMENT OF MANAGEMENT

Rebuild Iowa Infrastructure (RIIF) Fund— Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on December 21, 2015.

Reversions Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3). Report received on September 28, 2015.

Technology Reinvestment Fund (TRF) Report—Infrastructure Status Report, pursuant to Iowa Code section 8.57C. Report received on December 21, 2015.

## MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

Public Fund Sudan Divestment Report, pursuant to Iowa Code section 12F.5(2). Report received on October 1, 2015.

## DEPARTMENT OF NATURAL RESOURCES

Greenhouse Gas Emissions Report, pursuant to Iowa Code section 455B.104(4). Report received on January 6, 2016.

Hazardous Substance Remedial Fund Report, pursuant to Iowa Code section 455B.425. Report received on December 17, 2015.

Household Hazardous Waste Account Report, pursuant to Iowa Code section 455E.11(2)(c). Report received on December 18, 2015.

Household Hazardous Waste Cleanup Program Report, pursuant to Iowa Code section 455F.8. Report received on December 18, 2015.

Lakehouse Restoration Report, pursuant to Iowa Code section 456A.33B(1). Report received on January 6, 2016.

Mercury Added Thermostats Report, pursuant to Iowa Code section 455D.16(7)(c). Report received on January 6, 2016.

## OFFICE OF THE STATE LONG-TERM CARE OMBUDSMAN

Proposal for a Health Consumer Ombudsman Alliance Report, pursuant to 2015 Iowa Acts, Chapter 137, section 66. Report received on December 16, 2015.

## IOWA BOARD OF PAROLE

FY 2015 Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 16, 2015.

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE  
TANK FUND BOARD

FY 2015 Quarter 4 Progress and Activities Report, pursuant to Iowa Code section 455G.4(6). Report received on July 24, 2015.

FY 2016 Quarter 1 Progress and Activities Report, pursuant to Iowa Code section 455G.4(6). Report received on November 6, 2015.

FY 2016 Quarter 2 Progress and Activities Report, pursuant to Iowa Code section 455G.4(6). Report received on January 8, 2016.

## IOWA PROPANE EDUCATION AND RESEARCH COUNCIL

2014 Report, pursuant to Iowa Code section 101C.3(10). Report received on August 18, 2015.

## STATE PUBLIC DEFENDER

Reversions Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3). Report received on September 28, 2015.

## DEPARTMENT OF PUBLIC DEFENSE

Annual Report, pursuant to Iowa Code section 7E.3. Report received on August 18, 2015.

Offenses Reported to Civilian Law Enforcement Authorities Report, pursuant to 2014 Iowa Acts, Chapter 1069, section 5. Report received on August 18, 2015.

Rebuild Iowa Infrastructure (RIIF) Fund— Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on August 18, 2015.

Reversions Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3). Report received on July 7, 2015.

## PUBLIC EMPLOYMENT RELATIONS BOARD

Public Employment Relations Board Annual Report for FY 2015, pursuant to Iowa Code section 7E.3. Report received on November 30, 2015.

Reversions Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3). Report received on September 9, 2015.

#### DEPARTMENT OF PUBLIC HEALTH

2015 Annual Report, pursuant to Iowa Code section 7E.3. Report received on December 18, 2015.

Anatomical Gift Public Awareness Donation and Compliance Report, pursuant to Iowa Code section 142C.17. Report received on December 16, 2015.

Iowa's Child Death Review Team 2012 Annual Report, pursuant to Iowa Code section 135.43(3)(a). Report received on December 16, 2015.

Technology Reinvestment Fund (TRF) Report—Infrastructure Status Report, pursuant to Iowa Code section 8.57C. Report received on January 6, 2016.

#### PUBLIC INFORMATION BOARD

Reversions Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3). Report received on August 5, 2015.

#### DEPARTMENT OF PUBLIC SAFETY

Annual Report, pursuant to Iowa Code section 7E.3. Report received on November 2, 2015.

DCI Report of Activities at Racetrack Enclosures, pursuant to Iowa Code section 99D.14. Report received on December 16, 2015.

Reversions Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3). Report received on November 20, 2015.

#### IOWA PUBLIC TELEVISION

Rebuild Iowa Infrastructure (RIIF) Fund – Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on December 31, 2015.

#### BOARD OF REGENTS

Annual Articulation Report, pursuant to Iowa Code section 262.9(33)(i). Report received on January 8, 2016.

College Bound and IMAGES Annual Report, pursuant to Iowa Code section 262.93. Report received on January 8, 2016.

Continuous Improvement Plan Report, pursuant to Iowa Code section 262.9. Report received on January 8, 2016.

Cooperative Purchasing Report, pursuant to Iowa Code section 262.9B(5). Report received on November 13, 2015.

FY 2015 Report on Iran-Related Divestment Activities, pursuant to Iowa Code section 12H.5(2). Report received on September 2, 2015.

FY 2015 Report on Sudan-Related Divestment Activities, pursuant to Iowa Code section 12F.5(2). Report received on September 2, 2015.

Educational Credits Awarded to Veterans Report, pursuant to 2014 Iowa Acts, Chapter 1116, section 33. Report received on December 14, 2015.

Gifts and Grants Monthly Report for July 2015, pursuant to Iowa Code section 8.44. Report received on September 2, 2015.

Gifts and Grants Monthly Report for August 2015, pursuant to Iowa Code section 8.44. Report received on September 28, 2015.

Gifts and Grants Monthly Report for September 2015, pursuant to Iowa Code section 8.44. Report received on October 28, 2015.

Gifts and Grants Monthly Report for October 2015, pursuant to Iowa Code section 8.44. Report received on November 18, 2015.

Gifts and Grants Monthly Report for November 2015, pursuant to Iowa Code section 8.44. Report received on December 31, 2015.

Gifts and Grants Quarterly Report for Quarter Ending 9/30/15, pursuant to Iowa Code section 8.44. Report received on November 18, 2015.

Grow Iowa Values Fund Report, pursuant to 2013 Iowa Acts, Chapter 141, section 54. Report received on November 18, 2015.

Local Food and Farm Program Report, pursuant to Iowa Code section 267A.7. Report received on September 10, 2015.

Monthly Financial Report for June 2015, pursuant to 2013 Iowa Acts, Chapter 141, section 27. Report received on September 2, 2015.

Monthly Financial Report for July 2015, pursuant to 2013 Iowa Acts, Chapter 141, section 27. Report received on September 23, 2015.

Monthly Financial Report for August 2015, pursuant to 2013 Iowa Acts, Chapter 141, section 27. Report received on September 23, 2015.

Monthly Financial Report for September 2015, pursuant to 2013 Iowa Acts, Chapter 141, section 27. Report received on October 30, 2015.

Monthly Financial Report for October 2015, pursuant to 2013 Iowa Acts, Chapter 141, section 27. Report received on December 4, 2015.

Monthly Financial Report for November 2015, pursuant to 2013 Iowa Acts, Chapter 141, section 27. Report received on January 6, 2016.

Patents and Licenses Report, pursuant to Iowa Code section 262B.3(3). Report received on November 18, 2015.

Postsecondary Enrollment Program Annual Report, pursuant to Iowa Code section 262.9(35). Report received on October 1, 2015.

Research and Development School Advisory Council Report (UNI), pursuant to Iowa Code section 256G.4. Report received on January 8, 2016.

Technology Commercialization, Marketing and Business Development Report, pursuant to 2013 Iowa Acts, Chapter 141, section 30. Report received on November 18, 2015.

Technology Transfer and Economic Development Report, pursuant to 2013 Iowa Acts, Chapter 141, section 53. Report received on November 18, 2015.

#### DEPARTMENT OF REVENUE

Central Collections Unit Quarterly Debt Collection Report Ending June 30, 2015, pursuant to Iowa Code section 421.17(27)(h). Report received on September 28, 2015

Central Collections Unit Quarterly Debt Collection Report Ending September 30, 2015, pursuant to Iowa Code section 421.17(27)(h). Report received on December 2, 2015.

Health Insurance for Dependent Children Report, pursuant to Iowa Code section 422.12M. Report received on December 31, 2015.

Industrial Processing Exemption Study Committee Report, pursuant to 2012 Iowa Acts, Chapter 1110, section 28. Report received on August 21, 2015.

Iowa Collection Enterprise (ICE) Report, pursuant to Iowa Code section 421.17. Report received on December 16, 2015.

Iowa Streamlined Sales Tax Advisory Council Annual Report, pursuant to Iowa Code section 423.9A. Report received on August 21, 2015.

Property Taxation of Telecommunications Companies Report, pursuant to 2013 Iowa Acts, Chapter 123, section 36. Report received on August 4, 2015.

Reversions Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3). Report received on August 21, 2015.

Solar Energy Tax Credits Report, pursuant to Iowa Code section 422.11L. Report received on December 31, 2015.

State Board of Tax Review Report, pursuant to Iowa Code section 421.1(4)(f). Report received on October 20, 2015.



## SECRETARY OF STATE

Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 4, 2015.

## STATE FAIR FOUNDATION

Association of Iowa Fairs—Economic Impact and Statistic Report, pursuant to Iowa Code section 174.10. Report received on December 7, 2015.

## DEPARTMENT OF TRANSPORTATION

Plates or Validation Sticker Furnished—Retained by Owner—Special Plates Report, pursuant to Iowa Code section 321.34. Report received on October 8, 2015.

Road Use Tax Fund Efficiency Measures, pursuant to 2014 Iowa Acts, Chapter 1123, section 21. Report received on January 4, 2016.

## TREASURER OF STATE

Iowa Educational Savings Plan Trust Report, pursuant to Iowa Code section 12D.8(1)(a). Report received on October 30, 2015.

Public Fund Iran-Related Divestment Report, pursuant to Iowa Code section 12H.5(2). Report received on September 30, 2015.

Public Fund Sudan-Related Divestment Report, pursuant to Iowa Code section 12F.5(2). Report received on September 30, 2015.

## UTILITIES BOARD

Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 6, 2016.

Customer Contribution Utility Fund Report, pursuant to Iowa Code section 476.66(6). Report received on December 29, 2015.

## VETERANS AFFAIRS

Agency Narrative State Performance Report, pursuant to Iowa Code section 7E.3. Report received on September 28, 2015.

Veterans' Trust Fund Report, pursuant to Iowa Code section 35A.13(8). Report received on January 11, 2016.

## CERTIFICATE OF RECOGNITION

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

Cole Scott Lingle, Manilla—For achieving the rank of Eagle Scout. Senator Segebart.

## REPORTS OF COMMITTEE MEETINGS

### EDUCATION

**Convened:** Monday, January 11, 2016, 1:00 p.m.

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

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

**Committee Business:** Organizational meeting.

**Adjourned:** 1:15 p.m.

### ETHICS

**Convened:** Monday, January 11, 2016, 2:00 p.m.

**Members Present:** Horn, Chair; Dearden, Vice Chair; Schultz, Ranking Member; Seng, and Zaun.

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

**Committee Business:** Organizational meeting.

**Adjourned:** 2:05 p.m.

### LOCAL GOVERNMENT

**Convened:** Monday, January 11, 2016, 1:30 p.m.

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

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 1:40 p.m.

### STATE GOVERNMENT

**Convened:** Monday, January 11, 2016, 1:35 p.m.

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

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

**Committee Business:** Organizational meeting.

**Adjourned:** 1:40 p.m.

## INTRODUCTION OF BILLS

**Senate File 2001**, by Gronstal, a bill for an act relating to the age at which a registered voter is eligible to vote in a primary election.

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

**Senate File 2002**, by Johnson, a bill for an act relating to unattended motor vehicles.

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

**Senate File 2003**, by Johnson, a bill for an act relating to the identification of owners of blinds and stands for hunting deer placed on public land and making penalties applicable.

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

**Senate File 2004**, by Johnson, a bill for an act relating to the use of hand-held electronic communication devices while driving, and making penalties applicable.

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

**Senate File 2005**, by Johnson, a bill for an act relating to the division of property taxes levied against wind energy conversion property located in an urban renewal area and including effective date provisions.

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

**Senate File 2006**, by Johnson, a bill for an act relating to the division and allocation of property taxes levied against wind energy conversion property located in an urban renewal area and including effective date provisions.

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

**Senate File 2007**, by Sinclair, a bill for an act relating to the requirements for consultation during preparation of a county budget and including applicability provisions.

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

**Senate File 2008**, by Kinney, a bill for an act relating to the possession and administration of emergency drugs by first responders for purposes of treating drug overdose victims.

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

#### STUDY BILLS RECEIVED

##### **SSB 3001      Economic Growth**

Relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions.

##### **SSB 3002      Judiciary**

Relating to criminal jurisdiction on the Sac and Fox Indian settlement.

#### SUBCOMMITTEE ASSIGNMENTS

##### **SSB 3001**

ECONOMIC GROWTH: Hart, Chair; Chelgren and Dotzler

##### **SSB 3002**

JUDICIARY: Soddors, Chair; Hogg and Schneider

# JOURNAL OF THE SENATE

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SECOND CALENDAR DAY  
SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, January 12, 2016

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

Prayer was offered by Reverend Katie Russell, pastor of the Broadway Christian Church in Council Bluffs, Iowa. She was the guest of Senator Gronstal.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Hannah Dettmann.

The Journal of Monday, January 11, 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 11, 2016, **adopted** the following resolutions in which the concurrence of the Senate is asked:

**House Concurrent Resolution 102**, a concurrent resolution to provide for a joint convention of the two houses of the 2016 session of the Eighty-sixth General Assembly be held on Wednesday, January 13, 2016, at 10:00 a.m.

Read first time and **placed on calendar**.

**House Concurrent Resolution 103**, a concurrent resolution to provide for a joint convention of the two houses of the 2016 session of the Eighty-sixth General Assembly be held on Wednesday, January 27, 2016, at 10:00 a.m.

Read first time and **placed on calendar**.

CONSIDERATION OF RESOLUTIONS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Concurrent Resolutions 102 and 103.

**House Concurrent Resolution 102**

On motion of Senator Gronstal, **House Concurrent Resolution 102**, a concurrent resolution to provide for a joint convention of the two houses of the 2016 session of the Eighty-sixth General Assembly be held on Wednesday, January 13, 2016, at 10:00 a.m., was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 102, which motion prevailed by a voice vote.

**House Concurrent Resolution 103**

On motion of Senator Gronstal, **House Concurrent Resolution 103**, a concurrent resolution to provide for a joint convention of the two houses of the 2016 session of the Eighty-sixth General Assembly be held on Wednesday, January 27, 2016, at 10:00 a.m., was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 103, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Concurrent Resolutions 102 and 103** be **immediately messaged** to the House.

The Senate stood at ease at 9:09 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:42 a.m., President Jochum presiding.

### COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with House Concurrent Resolution 102, duly adopted, the Senate proceeded to the House chamber under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

### JOINT CONVENTION

The joint convention convened at 9:46 a.m., President Jochum presiding.

Senator Gronstal moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

President Jochum declared a quorum present and the joint convention duly organized.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify Governor Terry E. Branstad that the joint convention was ready to receive him.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Brase, Mathis, and Behn on the part of the Senate, and Representatives Grassley, Sands, and Miller on the part of the House.

Secretary of Agriculture Bill Northey, Treasurer of State Mike Fitzgerald, Auditor of State Mary Mosiman, and Attorney General Tom Miller were escorted into the House chamber.

The Chief Justice and the Justices of the Supreme Court and the Chief Judge and the Judges of the Court of Appeals were escorted into the House chamber.

Lieutenant Governor Kim Reynolds and her husband were escorted into the House chamber.

Chris Branstad, the Governor's wife, and other family members, were escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him to the Speaker's station.

President Jochum presented Governor Terry E. Branstad, who delivered the following Condition of the State Address:

It gives me great honor to commence the 2016 Condition of the State for the first time in Iowa's history by beginning with:

Madam Lieutenant Governor, Madam President, Madam Speaker, Legislative leaders, justices, judges, legislators, elected officials, distinguished guests, family, friends and fellow Iowans, good morning.

To Rep. Tom Moore and Rep. Charles Holz—welcome to your first legislative session.

I look forward to working with you as you represent your constituents back home.

I want to welcome all returning legislators as well.

We return this session without an esteemed colleague and friend who was respected by both sides of the aisle, Jack Drake.

Jack was a personal friend of mine and many of you as well.

He served his constituents with passion and I know we all will miss him this session.

Ladies and Gentlemen, over the past 5 years the State of Iowa has made significant progress.

Progress which has put Iowa in a position of strength and opportunity for a bright future.

Sound budgeting practices and fiscal discipline now have us ranked as the 3rd best managed state in the nation.

Our cash reserve and economic emergency accounts are full.

The Iowa Economy has created 214,000 new jobs; surpassing our 2010 goal.

Today, Iowa's unemployment rate has been cut nearly in half to 3.4%.

Which is down from 6.1% five years ago.

Iowa has the lowest unemployment rate since 2001.

More Iowans are now employed than ever in our state's history.

Iowa family incomes have grown 18.3% from 2010.

We have seen over \$12 billion in private capital investment.

We worked in a bi-partisan fashion last session to improve both Iowa's physical and digital infrastructure.

And state K-12 education funding is up 35% since 2010.

When we look back at this progress, it is important to reflect on how we got here.



We did it by restoring fiscal discipline.

We did it by focusing on economic growth.

We did it by investing in our children.

But the key to igniting this engine of success has truly been a willingness to work together.

When we work together, challenges are overcome, results are delivered and Iowans have a government that works for them.

When we fail to work together, challenges become steeper, results are fleeting and the government fails the very people we should be serving.

There is no doubt this upcoming legislative session will present us with unique issues and opportunities to address.

It is my sincere desire to work with all of you to address the challenges we have before us.

We must come together again to tackle the challenges looming on our path toward a more prosperous future.

Last year's devastating avian influenza, lower commodity prices and an increasingly competitive world economy have reduced the growth of our state's revenue.

While we still see some growth, it is not as robust as we had hoped and expected.

In the budget I propose today, the two items where I propose spending the most money are on schools, and on Medicaid.

Simply put, Medicaid is costing more than ever.

It is stretching our budget too thin.

In order to improve patient health and increase the coordination of services—as well as control Medicaid costs—the state of Iowa is implementing a modern approach toward Medicaid through managed care, as most other states have already done.

If the state fails to implement managed care, the growth of Medicaid spending will consume virtually all of our revenue growth.

Working families and job creating businesses across this state want a government that is stable, predictable and delivers what it promises.

The budget I propose today was crafted the same way hardworking Iowans do, with a cautious eye and optimism for the future.

It is a tight budget.

It is a budget that will keep our state stable.

The budget is balanced today and fits within our five-year projections.

We should not over-promise and under-deliver.

This budget provides schools the stability, predictability and funding they need and deserve.

Today, I am proposing to increase pre K-12 funding by over \$145 million.

This includes the third installment of our extraordinary commitment to teacher leadership and compensation.

This additional investment would bring total pre K-12 education spending in the state budget to over \$3.2 billion dollars.

To make this level of funding possible, we have made tough decisions in other budget areas.

It is my sincere hope the General Assembly will move quickly to approve supplemental state aid early this session.

Ensuring our children's future is bright also means addressing other challenges our state faces.

Education officials have expressed to me a strong desire for extending a critical source of funding for school infrastructure.

Iowans have also expressed a strong desire to improve our state's water quality.

Unfortunately, too often we are presented with a false choice—raise taxes on hardworking taxpayers or do nothing.

I submit to you there is a different path to chart.

That is why last week, Lt. Gov. Kim Reynolds and I were pleased to announce with U.S. Secretary of Agriculture Tom Vilsack a substantial investment through a bold framework for school infrastructure and water quality.

We made this announcement while being joined by:

- Sioux City Superintendent Paul Gausman
- Waukee Superintendent Dave Wilkerson
- and Southeast Polk Superintendent Dirk Halupnik

These education leaders are partners in supporting our innovative plan and we were also joined by:

- Iowa farmer Bob Hemesath
- Iowa Corn Grower's leader Craig Floss
- Iowa Soybean Association leader and Boone school board President Kirk Leeds
- and co-chair of Iowa's Water Future Task Force, Larry James

The Lt. Gov. and I are continuing to meet with education, agriculture and business leaders to build support for a solution that helps schools, improves water quality and protects Iowa taxpayers.

Today, our schools rely on the Secure Advanced Vision for Education or SAVE fund for school infrastructure.

The current law expires in 2029.

Since its inception in 2009, schools have already received \$3.2 billion in infrastructure funding.

Our proposal will increase annual funding from \$458 million this year, to \$788 million by 2049—providing a total of \$20.7 billion for school infrastructure.

At the same time, by sharing the portion of the growth over \$10 million annually, this plan will provide nearly \$4.7 billion for water quality over the same period of time.

Schools will receive guaranteed growth of \$10 million each year or \$100 million in additional funding for school infrastructure every decade on top of what they are already getting.

This is a monumental investment in both education funding and water quality and does it without raising taxes.

From our rich soil to abundant water, Iowans are blessed with resources that are the envy of the world.

Over the years, positive steps have been taken to improve our state's water quality—including our innovative nutrient reduction strategy.

However, it is clear we need a stable long-term source of funding to more significantly improve water quality from both point and non-point sources of pollution.

Unfortunately, the issue of protecting our state's water quality risks tearing apart the fabric of Iowa, pitting Des Moines against rural Iowa.

Simply put, we must significantly accelerate our water quality efforts in order to avoid eroding our path to prosperity.

As we provide certainty for our schools, and a reliable long-term source of funding for protecting our water resources, we must also offer certainty to the engines of economic progress—hardworking Iowa families.

As Lt. Gov. Reynolds and I travel the state, we see help wanted signs.

Good jobs are available here in Iowa.

Some of those jobs go unfilled because of the skills gap in our workforce.

Our Regents institutions, community colleges, private colleges, unions and employers are working to help close this skills gap.

We recently established a Future Ready Iowa goal that 70% of Iowa's workforce will have education and training beyond high school by the year 2025.

The Future Ready Iowa initiative can help focus and better align our education, workforce, and economic development efforts.

From the Home Base Iowa initiative to Skilled Iowa to promoting registered apprenticeships, we are enhancing Iowa's workforce.

In 19 months, the Home Base Iowa initiative has already led to 1,700 veterans who have been hired across Iowa.

Also, thanks to bipartisan support, Iowa is a national leader in registered apprenticeships.

Apprenticeships allow individuals to "earn while they learn" and that is exactly what Joe Gomez did through Eastern Iowa Community College's Registered Apprenticeship Culinary Arts Program.

While completing his apprenticeship, he also earned credit through the community college.

Joe has leveraged those skills into becoming an owner and operator of his own restaurant in Davenport.

Joe, and his wife Michelle are here today.

Joe, please stand and be recognized.

Thank you for being an example of the power of apprenticeships to grow our state's talent pipeline.

Last year, thanks to generous public and private-sector support, more than 100,000 Iowa students participated in quality STEM programs through the work of the Governor's STEM Advisory Council.

I want to be sure to recognize the students with us today from ADM High School, Norwalk Middle School, Carver Elementary School in Des Moines and Iowa Christian Academy in West Des Moines.

I want to thank the STEM Council's co-chairs, Lt. Gov. Kim Reynolds and Dr. Chris Nelson of Kemin Industries for their leadership, passion and vision.

With support from the General Assembly, Iowa can continue to be a national leader in STEM and empower more students with STEM skills.

In fact, a STEM Council recommendation inspired our proposal to move students into the 21st century by requiring high schools to offer at least one high-quality computer science course by 2018–19, and for middle school students to have the opportunity to take an exploratory unit on coding.

This General Assembly also has a tremendous opportunity to advance more effective career guidance within our K-12 system.

This is about teachers, counselors and other school leaders infusing career information and career-related skills into local curriculum.

It is about employers leading conversations in every community in the state to advance productive partnerships with educators.

It is about the business and non-profit communities better articulating key needs for Iowa's educators.

We must prioritize policies on industries that are poised to grow like bio-renewable chemicals.

A state bio-renewable tax credit, which is revenue neutral, will create more high-quality jobs, building on our state's leadership in renewable energy.

I know we can do this because we've already done it by becoming the nation's leader in renewable energy.

In the 1980's, Iowa began investing in renewable energies like ethanol, biodiesel and wind.

We were the first state to implement a renewable electric standard which I signed it into law in 1983.

At the time, we were almost entirely dependent on coal for electricity and foreign oil for motor fuel.

But look at us today:

We produce significantly more ethanol than we consume in gasoline which offers consumers more choices at the pump.

We are the leading biodiesel producing state in the nation.

We are seeing significant investments in other technologies like cellulosic ethanol; with two new plants in Emmetsburg and Nevada.

Today wind generates nearly 30% of Iowa's electric generation; more than any other state in the country.

And solar power generation is a growing and attractive renewable resource that an increasing number of Iowans are utilizing.

All of these accomplishments show the growing diversity in Iowa's economy.

But we must keep looking to the future, working to understand our needs and pushing for more renewable, reliable, and low-cost clean energy to meet our needs.

Lt. Governor Kim Reynolds is chairing our statewide effort—and working with the Iowa Partnership for Economic Progress—to develop a State Energy Plan.

This plan will include input from the public, the business community and a variety of state and federal partners and help us set our priorities for the future.

It includes an assessment of current and future energy capacities that will benefit the state and outline clear goals and strategies to keep energy costs low and facilitate economic development.

Companies who have invested and located in Iowa have cited our low cost of energy and growing use of renewables as major reasons for locating here.

Iowa could be the first state in the nation to meet 40% of our energy needs from wind power by 2020; far ahead of any other state.

The extension of the Federal Wind Energy Tax Credit will also help us grow wind investments and jobs in Iowa.

Our leadership in green energy not only makes us a leader in renewables but also powers job growth.

Every wind turbine you see while driving across our state means income for farmers, revenue for local governments and jobs for Iowa families.

Let's build on that foundation for a greener Iowa future.

Our state flag is emblazoned with Iowa's motto, "OUR LIBERTIES WE PRIZE AND OUR RIGHTS WE WILL MAINTAIN."

Maintaining our rights means we must maintain those rights for all.

It is time for a fresh look at the criminal justice system in Iowa to ensure that we are doing the right thing for all of our citizens.

Last year, I was invited to participate on a panel at the NAACP's Iowa Summit on Justice and Disparities.

I was invited by my friend, Betty Andrews, who joins us today.

Betty is the President of the NAACP chapter for Iowa and Nebraska.

Betty, thank you for being here—please stand and be recognized.

At the Summit, I announced the formation of a bi-partisan working group on justice policy reform tasked with researching and making policy recommendations.

The working group consisted of representatives from state and local government and the NAACP.

The efforts of the Working Group, and the advocacy of Betty Andrews and others, convinced me that we all need to work together to address justice in Iowa.

Ensuring the fundamental fairness of our system is a worthy goal.

But a fairer and more equitable criminal justice system also aligns with the long-term interests of taxpayers who fund our criminal justice system.

For example, in many cases, tax dollars may be better spent on rehabilitation rather than incarceration.

We can protect the public while rehabilitating those who have committed crimes.

We can take steps to ensure that the most serious of crimes are punished with the most serious of penalties.

And we can take steps to make sure that when our criminal justice system does impose punishment that we are punishing the right person and that race does not play a role.

Let's take action this year, in all three branches of government, to improve our criminal justice system.

In the executive branch, our State Public Defender Adam Gregg recently established a new Wrongful Conviction Division to investigate wrongful convictions of innocent people.

These efforts will not only bring justice for those who have been wrongfully incarcerated, but will protect public safety by ensuring the right person is held responsible when a crime is committed.

We are already seeing a decline in our prison population and simultaneously a reduction in the rate of recidivism because of the collaboration between the Parole Board and the Department of Corrections.

We are more focused on providing individuals in the corrections system with skills they need to have rewarding careers upon release, including apprenticeships within the institutions.

The Department of Corrections has dramatically reduced phone fees as recommended by the Governor's Working Group.

Increased communications between inmates and their families while incarcerated can lead to a lower rate of reoffending when released.

The executive branch is not the only one taking action.

As you know, Chief Justice Mark Cady has become a leader in seeking to address the significant racial disparities which have become evident in the Iowa criminal justice system.

I applaud his efforts.

In addition, the courts are working to implement some of the Working Group recommendations, such as improving the jury selection process to ensure racial diversity of jury panels, which in turn helps assure a fair trial for all.

I look forward to working with all of you in the General Assembly to improve our criminal justice system by examining how we can:

- Protect our children and family members from human trafficking;
- Combat domestic violence;
- And examine the funding model for Drug and Mental Health Courts.

A significant recommendation of the Governor's Working Group included the confidentiality of juvenile delinquency records.

Currently, in most circumstances juvenile delinquency records are public records.

That means that a juvenile with even a minor theft or minor drug possession can be haunted by that mistake for the rest of their life—when they apply for college, for a job, for an apartment or for the military.

Some of our friends and neighbors, who have made poor decisions when they were young, continue to face significant roadblocks to success throughout their entire life.

We must examine whether these policies are truly protecting the public, or simply blocking a path to future career success for impacted Iowans.

A minor crime should not be a lifelong barrier to a successful career.

Juvenile records should remain confidential unless a judge specifically finds that disclosure is in the best interest of the child and the public.

This would allow for public disclosure in serious cases, while giving judge's discretion to allow confidentiality in cases involving minor offenses.

Friends, this is the 86th General Assembly of the State of Iowa.

And the question before us is this: what can we do to provide certainty and opportunities for all Iowa families?

Together we can forge a new path that will lead us to stable and predictable funding for school infrastructure and historic long-term protection for water quality.

A path which connects Iowans to rewarding careers.

A path that leads to exponential growth in our energy sector.

And a path that provides for a more fair and equitable society for all Iowans.

Let us be bold.

Let us be courageous.

Let us set our path toward the future, and seize the opportunities before us.

Thank you. God Bless you, and God bless the people of Iowa.

Governor Terry E. Branstad was escorted from the House chamber by the committee previously appointed.

Representative Hagenow moved that the joint convention be dissolved, which motion prevailed by a voice vote.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:32 a.m. until 9:00 a.m., Wednesday, January 13, 2016.

## APPENDIX

### COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### DEPARTMENT OF COMMERCE (BANKING DIVISION)

Mortgage Servicing Settlement Fund Report, pursuant to 2012 Iowa Acts, Chapter 1138, section 7. Report received on January 12, 2016.

## CERTIFICATE OF RECOGNITION

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

Doris Loger, Waterloo—For celebrating her 90<sup>th</sup> birthday. Senator Dotzler.

## REPORTS OF COMMITTEE MEETINGS

### COMMERCE

**Convened:** Tuesday, January 12, 2016, 2:00 p.m.

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

**Members Absent:** Smith, Soddors, and Zumbach (all excused).

**Committee Business:** Organizational meeting.

**Adjourned:** 2:05 p.m.

### JUDICIARY

**Convened:** Tuesday, January 12, 2016, 2:30 p.m.

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

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

**Committee Business:** Organizational meeting.

**Adjourned:** 2:35 p.m.

### NATURAL RESOURCES AND ENVIRONMENT

**Convened:** Tuesday, January 12, 2016, 1:00 p.m.

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

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

**Committee Business:** Organizational meeting.

**Adjourned:** 1:20 p.m.

## INTRODUCTION OF BILLS

**Senate File 2009**, by Hart, a bill for an act expanding the statewide preschool program to include certain five-year-old children and including applicability provisions.

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

**Senate File 2010**, by Petersen, a bill for an act relating to the supplementary weighting for limited English proficient students and including effective date and applicability provisions.

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

**Senate File 2011**, by Petersen, a bill for an act providing for additional weighting for eligible students identified as limited English proficient who are enrolled in the statewide preschool program for four-year-old children.

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

**Senate File 2012**, by Hart, a bill for an act relating to the revival of lapsed use restrictions by a common interest community.

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

**Senate File 2013**, by Petersen, a bill for an act exempting African-style hair braiding from the definition of cosmetology.

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

## STUDY BILLS RECEIVED

**SSB 3003      Human Resources**

Relating to access to the information program for drug prescribing and dispensing administered by the board of pharmacy.



**SSB 3004      Human Resources**

Making changes to the controlled substance schedules, and providing penalties, and including an effective date provision.

**SSB 3005      Human Resources**

Relating to the reimbursement rate for juvenile shelter care homes and including effective date and retroactive applicability provisions.

**SSB 3006      Commerce**

Relating to continuation of or reenrollment in group accident or health care coverage by certain dependents of public employees and including applicability date provisions.

**SSB 3007      Judiciary**

Relating to the criminal offense of interference with official acts at county jails, municipal holding facilities, and judicial district departments of correctional services, and providing penalties.

**SSB 3008      Judiciary**

Establishing a statewide chemical substance abuse monitoring pilot program.

**SSB 3009      Judiciary**

Providing that certain peace officers and law enforcement officials are not required to use a notarial stamp when administering oaths or acknowledging signatures.

**SSB 3010      Judiciary**

Relating to the appointment of a guardian ad litem in an adoption proceeding.

**SSB 3011 State Government**

Relating to public disclosure of the receipt of certain gifts, bequests, and honoraria and making penalties applicable.

**SSB 3012 State Government**

Relating to the use of public resources for political purposes.

**SSB 3013 State Government**

Relating to permissible gifts from restricted donors to public officials, public employees, candidates, and immediate family members of such persons.

**SSB 3014 State Government**

Concerning the confidentiality of public employee support information submitted to the public employment relations board.

**SUBCOMMITTEE ASSIGNMENTS**

**Senate File 84**  
(Reassigned)

JUDICIARY: Quirnbach, Chair; Garrett and Taylor

**Senate File 502**

COMMERCE: McCoy, Chair; Bolcom and Zumbach

**Senate File 2002**

JUDICIARY: Horn, Chair; Garrett and Sadders

**Senate File 2003**

NATURAL RESOURCES AND ENVIRONMENT: Brase, Chair; Johnson and Ragan

**House File 549**

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Bisignano and Shipley

**House File 664**

EDUCATION: Quirnbach, Chair; Schoenjahn and Sinclair

**House File 665**

EDUCATION: Quirnbach, Chair; Schoenjahn and Sinclair

**SSB 3003**

HUMAN RESOURCES: Allen, Chair; Segebart and Taylor

**SSB 3004**

HUMAN RESOURCES: Wilhelm, Chair; Bolkcom and Johnson

**SSB 3005**

HUMAN RESOURCES: Mathis, Chair; Costello and Ragan

**SSB 3006**

COMMERCE: McCoy, Chair; Schoenjahn and Sinclair

**SSB 3007**

JUDICIARY: Sadders, Chair; Kinney and Whitver

**SSB 3008**

JUDICIARY: Sadders, Chair; Garrett and Kinney

**SSB 3009**

JUDICIARY: Sadders, Chair; Garrett and Hogg

**SSB 3010**

JUDICIARY: Bisignano, Chair; Garrett and Horn

**SSB 3011**

STATE GOVERNMENT: Courtney, Chair; Bowman and Johnson

**SSB 3012**

STATE GOVERNMENT: Danielson, Chair; Horn and Schultz

**SSB 3013**

STATE GOVERNMENT: Danielson, Chair; Bertrand and Horn

**SSB 3014**

STATE GOVERNMENT: Bowman, Chair; Dearden and Schultz

# JOURNAL OF THE SENATE

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THIRD CALENDAR DAY  
THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, January 13, 2016

The Senate met in regular session at 9:05 a.m., President Jochum presiding.

Prayer was offered by Pastor Todd Stiles of First Family Church in Ankeny, Iowa. He was the guest of Senator Dix.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Philip Kiely.

The Journal of Tuesday, January 12, 2016, was approved.

## COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with House Concurrent Resolution 102, duly adopted, the Senate proceeded to the House chamber under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

## SPECIAL GUEST

President Jochum introduced to the Senate chamber the Honorable Nancy J. Boettger, former member of the Senate from Shelby County, Harlan, Iowa.

The Senate rose and expressed its welcome.

The Senate stood at ease at 9:15 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:49 a.m., President Jochum presiding.

### JOINT CONVENTION

In accordance with law and House Concurrent Resolution 102, duly adopted, the joint convention was called to order at 9:54 a.m., President Jochum presiding.

Senator Gronstal moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

President Jochum declared a quorum present and the joint convention duly organized.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to escort Governor Terry E. Branstad to the Condition of the Iowa Judiciary Message.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Danielson, Schoenjahn, and Zumbach on the part of the Senate, and Representatives Pettengill, Baltimore, and Ourth on the part of the House.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify the Honorable Mark S. Cady, Chief Justice of the Iowa Supreme Court, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Wilhelm, Soddors, and Shipley on the part of the Senate, and Representatives Branhagen, Nunn, and Anderson on the part of the House.

Secretary of State Paul Pate, Auditor of State Mary Mosiman, Secretary of Agriculture Bill Northey, and Attorney General Tom Miller were escorted into the House chamber.

The Justices of the Supreme Court, the Chief Judge and the Judges of the Court of Appeals, and the Chief Judges of the District Courts were escorted into the House chamber.

Becky Cady, wife of Chief Justice Cady; his son, Spencer Cady; and daughter-in-law, Reilly Cady; and his daughter, Kelsi Fraser, were escorted into the House chamber.

Lieutenant Governor Kim Reynolds was escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him into the House chamber.

The committee waited upon Chief Justice Mark S. Cady and escorted him to the Speaker's station.

President Jochum then presented Chief Justice Mark S. Cady who delivered the following Condition of the Judiciary Message:

Madam president, madam speaker, distinguished members of the Iowa General Assembly, Governor Branstad, Lieutenant Governor Reynolds, state officials, colleagues, family, friends, and all Iowans.

I have been honored to present the Condition of the Judiciary message to this assembly on five occasions. It is an honor again today. Each time I have described the efforts of the Iowa Judicial Branch to build Iowa's justice system consistent with the priorities and needs of all Iowans. Justice is important to every Iowan, and the condition of justice is vital to the overall health and prosperity of this state. We celebrate justice when it prevails. We strengthen justice when it is unequal. We fight for justice when it is absent. Justice is the core value that inspired our founders when we became a nation, and it remains today our common bond as Iowans.

Justice is within us at this moment and is seen across this state in the everyday actions of Iowans. It is seen in the actions of judges. It is seen in the actions of legislators. It is seen in the actions of the governor, state officials, and all Iowans who see justice as a goal to achieve. It is seen in the actions of community leaders such as Kellie Markey in Des Moines, teachers such as Pete Dammel from Audubon, clerks of court such as Ruth Godfrey from Council Bluffs, and countless other Iowans. The actions of these Iowans, and others, capture the best of us as a people. Their actions are Iowa's stories of justice.

Their stories speak to the priorities for Iowa's justice system. We have expressed these priorities to you in the past, and we remain committed to fulfilling them today. The six priorities are:

- Protect Iowa's children
- Provide full-time access to justice
- Operate an efficient full-service court system
- Provide faster and less costly resolution of legal disputes
- Operate in an open and transparent way
- Provide fair and impartial justice for all

These are priorities given to the Iowa Judicial Branch by Iowans. We are accountable to all Iowans and the constitution for making progress each year towards achieving each priority. Today, I will describe the progress made by the justice system during the past year and share the stories of the efforts of Iowans who seek justice every day.

### **I. Protecting Iowa's Children and Families**

Let me begin by sharing Sydney's story. When Sydney was seventeen years old, she was referred to juvenile court services on a possession of alcohol charge. In Iowa, juvenile court services are a part of the judicial branch. Juvenile court officers use a risk-assessment analysis to determine if youthful offenders should be referred to juvenile court or diverted to informal probation for services to address their needs. In speaking with Sydney, her juvenile court officer learned the possession of alcohol charge was only a symptom of larger problems. He discovered Sydney had been drinking heavily and was making poor choices in her life. The juvenile court officer placed Sydney on informal probation and found substance-abuse treatment services for Sydney and her mom. Sydney successfully completed substance-abuse treatment and has not returned to court. Today, Sydney is sober, a high school graduate, and a college student.

Stories similar to Sydney's are repeated across this state every day. They illustrate the value of our evidence-based, risk-assessment tool used to divert youthful offenders from juvenile court. As a result, fewer children are being referred to juvenile court. Instead, the needs of low-risk youthful offenders are met by services offered through juvenile court services, law enforcement, schools, and community service providers. In 2014, more than seventy-two percent of children diverted from juvenile court as low-risk offenders did not return to court. That means there were 5,392 children who, like Sydney, successfully completed treatment and avoided a criminal record. With successful diversion of low-risk youthful offenders, our highly skilled juvenile court officers have more time to work with the high-risk youthful offenders. These outcomes represent the progress we seek, and the justice our children deserve. When all children are provided the tools and opportunities for success, justice is achieved.

The governor, legislature, and the judicial branch have worked together during the past two years to pass legislation to give troubled young Iowans the same opportunities for success provided to Sydney. The legislation increased the confidentiality of eligible juvenile records, including dismissed complaints and informal probations. This new approach harmonizes the common goals of public safety and the best interests of our children. It has given greater meaning to juvenile justice.

Together, we are making our communities safer, protecting more children, and allowing more children opportunities to climb the ladder of success without the heavy weight of a criminal record.

In my past two reports on the condition of the judiciary, I have shared stories of families torn apart by substance abuse who were reunited by family treatment courts. With your help, we have established family treatment courts in all eight judicial districts. Now, more parents in Iowa have the opportunity to participate in family treatment courts and graduate with their children at their side. As of October 2015, thirteen family treatment courts across this state have served 823 parents with 1,345 children. I encourage all of you to attend a family treatment court graduation in your area. You will discover, better than I can describe with words, what it really means for a parent to reach a point in life never thought possible, with the support of a community team who never stopped believing it was possible.

When we provide broken families the tools and opportunities for success, justice is achieved.

## **II. Impartial Justice for All and Racial Disparity**

Last year I raised the issue of racial disparity in the criminal justice system. The positive responses that followed from you and other Iowans have increased awareness of this complex issue. Let me tell you about the efforts of the judicial branch to address this issue.

One response has been to seek better understanding of the many causes of racial disparity. Last year, the judicial branch trained 716 judges, magistrates, and other judicial branch staff to recognize implicit biases that may contribute to racial disparities. We will continue this training this year.

Another response involves the juvenile justice system. Three counties—Johnson, Linn, and Scott—are collaborating with Georgetown University on juvenile court pilot projects. These projects seek to eliminate racial disparity in the juvenile justice system and its adverse consequences to our state. The Georgetown pilot project in Johnson County has reduced school referrals to juvenile court by sixty-one percent. The reduced number of juvenile referrals is encouraging, but the racial disparity remains too high. We know we have more work to do and will continue to work with communities to develop broad-based solutions to this complex issue.

Finally, in the adult criminal justice system, judges working on the front lines share with me that the existing standards and conditions for pretrial release in criminal cases can be improved. Research and new programs in other states reveal that standards for pretrial release can be modified to increase the opportunity for release without compromising public safety. As you know, people who are arrested suffer significant adverse consequences when they are unable to meet the standards for release from jail. Examples include the loss of a job, separation from family, additional debt, and an increased likelihood of future incarceration. We will work with our partners, including the Iowa Department of Corrections, the District Department of Corrections, county attorneys, and criminal defense attorneys to find ways to improve the pretrial release system.

Racial disparity is a community problem requiring community solutions. The journey to identify and eliminate racial disparity continues for all of us. When racial disparity and all of its causes are eliminated, justice is achieved.

## **III. Faster and Less Costly Resolution of Legal Disputes**

Progress in our justice system has been made by providing faster, less-costly resolution of legal disputes. During the past several years, the Iowa Judicial Branch has introduced problem-solving courts, business courts, and a process to expedite and lower costs of civil litigation. In addition, we are identifying better practices to resolve family law cases and cases involving guardianships and conservatorships. All of these innovations are designed to better deliver justice for all. Our regular review of these programs confirms we are making progress.

Last summer the judicial branch conducted its second comprehensive evaluation of the business court pilot project. According to the evaluation, the business court has been successful because it provides attorneys and litigants with specific judicial expertise in complex cases. The results of the evaluation can best be summarized by a post on The Iowa State Bar Association Facebook page. It reads: "Both the bench and the bar are highly satisfied with the program." The evaluation found that attorneys who have had cases in the pilot project strongly support the business court and want it



to become a permanent part of the Iowa civil litigation system. Based on our review, the supreme court is pleased to announce that business courts will continue as part of Iowa's justice system.

We are also pleased to announce that close to 400 expedited civil action cases were filed within the first year of implementing this innovative process. This exceeded my expectations. The expedited civil action track is designed to provide Iowans a faster, less-costly process for resolving civil complaints. We will continue to monitor the results of this innovation to ensure it best serves the needs of Iowans.

A successful justice system serving the needs of Iowans must conduct trials on schedule and render timely decisions. Last year, the chief judges and court administrators of each judicial district came together to find new and more efficient ways to utilize our judges and court staff to give all litigants and attorneys the greatest possible confidence in the timely administration of cases. These early efforts show encouraging results. Our new case management techniques are improving the delivery of timely justice to Iowans.

Justice must be found in the way courts operate. We are committed to providing the best customer service to every person who enters our courthouses. It is part of a culture we are working to strengthen in every courthouse every day. Let me share with you the story of Ruth Godfrey, Pottawattamie County Clerk of Court. When the Pottawattamie County courthouse was renovated, Ruth was involved with the planning. She ensured that the reconfigured clerk of court office was designed so that customers came first and had easy access to her clerk's staff. The professionalism and care for customers that Ruth and her staff exhibit are found in courthouses and court staff throughout the state.

The Iowa Judicial Branch is deeply committed in every way to our promise of justice for all. When the timely, fair, and efficient administration of justice is consistently delivered to all Iowans, justice is achieved.

#### **IV. Modernizing the Jury System**

Part of the judicial branch's effort to deliver justice to all Iowans includes a modernization of the jury system. We are doing this in three ways. First, we provide training for judges on implicit bias and identify ways for judges to help jurors recognize the impact of implicit bias. Second, we have started planning to modernize our jury management software to give greater assurance that randomly selected jury pools represent a fair cross-section of each community. Third, we will begin to collect and maintain data on the racial composition of juries. This internal data will help us determine if the jury selection process we use could be further improved. The jury system holds a time-honored place in our system of justice, and it must be carefully maintained by us today. When all Iowans have full confidence in the fairness of our jury system, justice is achieved.

#### **V. Operating with Openness and Transparency**

For Iowans to have full confidence in our justice system, it is important for the judicial branch to operate with openness and transparency. The supreme court visits communities across Iowa to show Iowans how we operate. Last year, we heard oral arguments in four communities and visited thirty high schools and colleges. In the past four years, we have held court in twenty communities and visited 123 high schools and colleges. For more and more students, a high school education in Iowa now includes an opportunity to watch a court session of the Iowa Supreme Court in their school and an opportunity to meet and interact with a justice from the supreme court

in their classrooms. It is an opportunity that government teachers across the state have used to help our next generation understand the court system and its important role in administering justice equally to all.

Let me share with you the story of Pete Dammel. I met Pete in October when I visited his students at Audubon High School after the supreme court's visit to Harlan. The respectful and insightful questions his students asked left an impression on me and revealed as much about Pete as about his students. Pete teaches his students about the role of fair and impartial courts in our government and the importance of civil discourse between citizens. His teaching also reminds all of us that an open and transparent justice system enhances the public's understanding of the justice system.

The judicial branch is also working towards expanding access to court documents. With statewide electronic filing, court users and the public have more access than ever before to their court documents. Attorneys and parties to a case can access their documents at any time, even when the courthouse is closed. The public and the media can access electronic court documents from public computers in the courthouse where the case is filed. While electronic filing has expanded access for all people by eliminating the need to share paper files, the public and media do not have access from their own computers. The judicial branch is committed to being open and transparent, but access to court records is not just a matter of public convenience. Court records must remain safe and secure, and confidential information about Iowans contained in court records must remain private. It is expensive and time-consuming to expand online access to our secure court records, but we are working to find solutions that balance necessary security and convenience.

Like Pete Dammel, the judicial branch is committed to listening and providing Iowans with information about their justice system. This commitment benefits us all. When the judicial branch is open and responsive to the needs of Iowans, justice is achieved.

## **VI. The Injustice of Human Trafficking**

As we strive to achieve justice, the injustice of human trafficking in Iowa has been brought to the forefront. Let me share with you the story of what Kellie Markey is doing to bring awareness to the problem and to help victims. Last July, Representative Zach Nunn invited me to visit Kellie at a shelter she established to care for children victimized by sex traffickers. The shelter is called Dorothy's House. The shelter provides a safe place for these young victims to heal.

We can no longer view human trafficking as a problem reserved for major cities in America. It exists as a dark underworld in many communities across Iowa and is associated with some of Iowa's most iconic places and events. There is no justice when children are abused and exploited. A prompt, comprehensive, and coordinated effort is needed to identify victims of human trafficking and provide the services and protection they need.

Last month, the judicial branch provided training on human trafficking to judges, juvenile court officers, law enforcement, and others. This training will allow our judges and juvenile court officers to better address the human trafficking cases that are emerging in our courts. We are also exploring how best to enable judges and juvenile court officers to work with the victims of human trafficking. We are encouraged and grateful for the response to this problem from the governor, members of this assembly, Commissioner Roxann Ryan and the department of public safety, local law enforcement, and many others. When we all stand up to join in the compassionate efforts of Iowans like Kellie Markey to address human trafficking, justice is achieved.

## VII. The Importance of Fair and Impartial Courts

We hear the call from Iowans for our courts to remain fair and impartial, independent, and insulated from all political influences. It is a call we continue to answer as we have in the past. Fair and impartial courts are the foundation of Iowa's justice system. Fair and impartial courts have helped to give Iowa its proud history and has strengthened us as a state today. With a future of fair and impartial courts, justice is achieved.

## VIII. Conclusion

I began today by reminding us of the important position justice occupied in the lives of our founders and in our lives today. I have spoken of progress and the need for more. But, as with our founders, our efforts to achieve justice will not be measured only by the actions we take to administer justice. The value of our efforts today will be measured by how our actions advance the values and virtues of justice. These values are identified in our six priorities. Iowans want to protect more children. Iowans want greater access to justice. Iowans want more efficient resolution of legal disputes. Iowans want an open and transparent justice system. Iowans want racial disparity eliminated. Iowans want fair and impartial justice for all. These are the values and virtues advanced by the actions of Kellie Markey, Pete Dammel, Ruth Godfrey, and countless other Iowans. They are the values and virtues that we must continue to advance. We will always face challenges in delivering on our promise of justice for all, challenges that are overcome when our values and virtues guide the actions we take and the decisions we make. So, let us work together to advance Iowa's system of justice to make ours the best court system in the nation.

Thank you.

Chief Justice Mark S. Cady was escorted from the House chamber by the committee previously appointed.

Governor Terry E. Branstad was escorted from the House chamber by the committee previously appointed.

Representative Hagenow moved that the joint convention be dissolved, which motion prevailed by a voice vote.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:42 a.m. until 9:00 a.m., Thursday, January 14, 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 AGRICULTURE AND LAND STEWARDSHIP

Loess Hills Alliance Board of Directors Report, pursuant to Iowa Code section 161D.6(6). Report received on January 13, 2016.

Watershed Improvement Review Board Annual Report, pursuant to Iowa Code section 466A.3. Report received on January 13, 2016.

#### DEPARTMENT OF COMMERCE (BANKING DIVISION)

Qualified Student Loan Bond Issuer Report, pursuant to Iowa Code section 7C.13. Report received on January 13, 2016.

#### DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Enhanced 911 Status Report, pursuant to Iowa Code section 34A.7A(3)(a). Report received on January 13, 2016.

#### DEPARTMENT OF JUSTICE

Prosecutor Intern Program Annual Report, pursuant to Iowa Code section 13.2. Report received on January 13, 2016.

#### DEPARTMENT OF NATURAL RESOURCES

Environment First (EFF) Fund—Infrastructure Status Report, pursuant to Iowa Code section 8.57A.5. Report received on January 13, 2016.

Natural Resource Commission Annual Report, pursuant to Iowa Code section 455A.5. Report received on January 13, 2016.

Natural Resources and Outdoor Recreations Trust Fund Report, pursuant to Iowa Code section 461.22. Report received on January 13, 2016.

Rebuild Iowa Infrastructure (RIIF) Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on January 13, 2016.

Revenue Bonds Capitals (RBC) Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12.88(4). Report received on January 13, 2016.

Revenue Bonds Capitals II (RBC2) Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12.88A(4). Report received on January 13, 2016.

Tobacco Settlement Trust Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12E.12(9). Report received on January 13, 2016.

#### DEPARTMENT OF REVENUE

Beginning Farmer Tax Credit Program Evaluation Study, pursuant to Iowa Code section 2.48. Report received on January 13, 2016.

Charitable Conservation Contribution Tax Credit Evaluation Study, pursuant to Iowa Code section 2.48. Report received on January 13, 2016.

Claim of Right Tax Credit Evaluation Study, pursuant to Iowa Code section 2.48. Report received on January 13, 2016.

Iowa Alternative Minimum Tax Credit Evaluation Study, pursuant to Iowa Code section 2.48. Report received on January 13, 2016.

New Jobs Tax Credit Evaluation Study, pursuant to Iowa Code section 2.48. Report received on January 13, 2016.

#### IOWA VETERANS HOME

Environment First Fund (EFF)—Infrastructure Status Report, pursuant to Iowa Code section 8.57A.5. Report received on January 13, 2016.

Rebuild Iowa Infrastructure (RIIF) Fund—Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on January 13, 2016.

Revenue Bonds Capitals (RBC) Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12.88(4). Report received on January 13, 2016.

Revenue Bonds Capitals II (RBC2) Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12.88A(4). Report received on January 13, 2016.

Tobacco Settlement Trust Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12E.12(9). Report received on January 13, 2016.

### REPORTS OF COMMITTEE MEETINGS

#### AGRICULTURE

**Convened:** Wednesday, January 13, 2016, 2:30 p.m.

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

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 2:35 p.m.

## GOVERNMENT OVERSIGHT

**Convened:** Wednesday, January 13, 2016, 3:05 p.m.

**Members Present:** Hogg, Chair; Schoenjahn, Vice Chair; Garrett, Ranking Member; Kinney, and Whitver.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 3:10 p.m.

## INTRODUCTION OF BILLS

**Senate File 2014**, by Schoenjahn, a bill for an act relating to harvesting grass growing in a public road right-of-way.

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

**Senate File 2015**, by Johnson, 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 referred to committee on **Transportation**.

**Senate File 2016**, by Quirmbach, a bill for an act raising the legal age relating to tobacco, tobacco products, alternative nicotine products, vapor products, and cigarettes, and including effective date and applicability provisions.

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

**Senate File 2017**, by Chelgren, a bill for an act making a standing appropriation to the secure an advanced vision for education fund.

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

**Senate File 2018**, by Johnson, a bill for an act relating to Iowa's urban renewal law by establishing restrictions on the use of divided revenues and including effective date provisions.

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

**Senate File 2019**, by McCoy, a bill for an act relating to insurance coverage for the assessment and treatment of eating disorders and including applicability date provisions.

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

#### STUDY BILLS RECEIVED

**SSB 3015      State Government**

Relating to the right of residents, owners, tenants, and landlords to summon emergency assistance and preempting related local ordinances, rules, and regulations.

**SSB 3016      State Government**

Requiring a demolition reserve on certain fire and casualty insurance claims on property located in the unincorporated area of a county.

**SSB 3017      State Government**

Requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions.

**SSB 3018      Commerce**

Relating to the credit union division and its regulatory matters.

**SSB 3019 Commerce**

Relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties.

**SSB 3020 State Government**

Relating to elections administration with respect to the address confidentiality program, satellite absentee voting, and the conduct of school district elections.

**SSB 3021 State Government**

Relating to the use of the rural county services property tax levy for services and functions undertaken jointly by a county with certain cities and including applicability provisions.

**SSB 3022 State Government**

Providing for the use of an electronic filing system for administrative proceedings by the administrative hearings division of the department of inspections and appeals.

**SSB 3023 Transportation**

Relating to third-party commercial driver's license testers and skills test examiners.

**SSB 3024 Judiciary**

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.

**SSB 3025 Judiciary**

Relating to persons examining and obtaining their own criminal history data.



**SSB 3026      Judiciary**

Relating to the assessment of fees and court costs in certain criminal cases, and providing for a fee.

**SSB 3027      Judiciary**

Relating to the legal representation of indigent persons in criminal proceedings.

**SSB 3028      Judiciary**

Relating to the placement of shorthand reporters in exempt status and to the supervision of the board of examiners of shorthand reporters.

**SSB 3029      Judiciary**

Relating to child support payment processing, and including effective date and applicability provisions.

**SSB 3030      Judiciary**

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.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 483**

WAYS AND MEANS: Hogg, Chair; Allen and Breitbach

**Senate File 2001**

STATE GOVERNMENT: Danielson, Chair; Courtney and Whitver

**Senate File 2005**

WAYS AND MEANS: Petersen, Chair; Feenstra and Quirmbach

**Senate File 2006**

WAYS AND MEANS: Petersen, Chair; Feenstra and Quirmbach

**Senate File 2012**

JUDICIARY: Hogg, Chair; Schneider and Sodders

**House File 506**  
(Reassigned)

STATE GOVERNMENT: Danielson, Chair; Courtney and Schultz

**SSB 3015**

STATE GOVERNMENT: Dvorsky, Chair; Chapman and McCoy

**SSB 3016**

STATE GOVERNMENT: Schoenjahn, Chair; Johnson and Petersen

**SSB 3017**

STATE GOVERNMENT: Danielson, Chair; Bertrand and Horn

**SSB 3018**

COMMERCE: Bolkcom, Chair; Smith and Sodders

**SSB 3019**

COMMERCE: Allen, Chair; McCoy and Smith

**SSB 3020**

STATE GOVERNMENT: Danielson, Chair; Bertrand and McCoy

**SSB 3021**

STATE GOVERNMENT: Dvorsky, Chair; Dearden and Schultz

**SSB 3022**

STATE GOVERNMENT: Bowman, Chair; Johnson and McCoy

**SSB 3023**

TRANSPORTATION: Bowman, Chair; Dvorsky and Kraayenbrink

**SSB 3024**

JUDICIARY: Taylor, Chair; Kinney and Whitver

**SSB 3025**

JUDICIARY: Kinney, Chair; Petersen and Shipley

**SSB 3026**

JUDICIARY: Taylor, Chair; Quirnbach and Whitver

**SSB 3027**

JUDICIARY: Bisignano, Chair; Garrett and Taylor

**SSB 3028**

JUDICIARY: Quirnbach, Chair; Horn and Shipley

**SSB 3029**

JUDICIARY: Kinney, Chair; Bisignano and Garrett

**SSB 3030**

JUDICIARY: Hogg, Chair; Soddors and Zaun

**SUPPLEMENTAL REPORT OF THE COMMITTEE ON MILEAGE**

MADAM PRESIDENT: Pursuant to Section 2.10, Code 2015, the following has been determined to be the set or updated mileage to which the following Senator is entitled for the Eighty-sixth General Assembly, 2016 Session:

<u>NAME</u>	<u>ROUND TRIP MILES</u>
CHAPMAN, Jacob .....	66

COMMITTEE ON MILEAGE  
DICK L. DEARDEN, Chair  
JERRY BEHN  
TIM L. KAPUCIAN  
HERMAN C. QUIRMBACH

# JOURNAL OF THE SENATE

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FOURTH CALENDAR DAY  
FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, January 14, 2016

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

Prayer was offered by Pastor Gregg Davison of Trinity Lutheran Church in Marshalltown, Iowa. He was the guest of Senator Sodders.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Lindsay Larkin.

The Journal of Wednesday, January 13, 2016, was approved.

## WITHDRAWN

Senator Gronstal asked and received unanimous consent that **Senate File 449** be **withdrawn** from further consideration of the Senate.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:06 a.m. until 9:30 a.m., Friday, January 15, 2016.

## APPENDIX

### COMMUNICATION RECEIVED

The following communication was 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

Report of Activities for 2015, pursuant to Iowa Code section 312.3B. Report received on January 14, 2016.

### REPORTS OF COMMITTEE MEETINGS

#### ECONOMIC GROWTH

**Convened:** Tuesday, January 12, 2016, 1:05 p.m.

**Members Present:** Hart, Chair; Sodders, Vice Chair; Chelgren, Ranking Member; Anderson, Bisignano, Bowman, Breitbach, Chapman, Danielson, Dotzler, Guth, Mathis, Schneider, Taylor, and Wilhelm.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 1:20 p.m.

#### HUMAN RESOURCES

**Convened:** Thursday, January 14, 2016, 11:30 a.m.

**Members Present:** Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Chelgren, Costello, Dotzler, Garrett, Jochum, Taylor, and Wilhelm.

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

**Committee Business:** Organizational meeting.

**Adjourned:** 11:40 a.m.

#### JUDICIARY

**Convened:** Thursday, January 14, 2016, 10:05 a.m.

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

**Reconvened:** 10:20 a.m.

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

**Members Absent:** None.

**Committee Business:** Approved SSB 3002.

**Adjourned:** 10:30 a.m.

## WAYS AND MEANS

**Convened:** Thursday, January 14, 2016, 11:05 a.m.

**Members Present:** Bolkcom, Chair; Allen, Vice Chair; Behn, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, and Seng.

**Members Absent:** Feenstra, Ranking Member; Anderson, Breitbach, and Smith (all excused).

**Committee Business:** Organizational meeting.

**Adjourned:** 11:10 a.m.

## EDUCATION APPROPRIATIONS SUBCOMMITTEE

**Convened:** Thursday, January 14, 2016, 10:35 a.m.

**Members Present:** Schoenjahn, Chair; Quirmbach, Vice Chair; Kraayenbrink, Ranking Member; Horn, and Sinclair.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 10:40 a.m.

## HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE

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

**Members Present:** Ragan, Chair; Bolkcom, Vice Chair; Dvorsky, and Johnson.

**Members Absent:** Segebart, Ranking Member (excused).

**Committee Business:** Organizational meeting.

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

## INTRODUCTION OF BILLS

**Senate File 2020**, by McCoy, a bill for an act relating to the harvesting of turtles and including penalties.

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

**Senate File 2021**, by Chelgren and Costello, a bill for an act relating to licensing fees collected by the board of educational examiners and credited to the general fund of the state.

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

**Senate File 2022**, by committee on Judiciary, a bill for an act relating to criminal jurisdiction on the Sac and Fox Indian settlement.

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

## STUDY BILLS RECEIVED

**SSB 3031      Judiciary**

Including fathers whose paternity has been lawfully established in the definition of parent for the purposes of juvenile justice proceedings.

**SSB 3032      Judiciary**

Relating to attorney fees and court costs in an action to quiet title after a request for a quitclaim deed.

**SSB 3033      Judiciary**

Relating to exceptions to the meeting of a required ninety-day waiting period prior to the granting of a decree for dissolution of marriage.

**SSB 3034      Judiciary**

Relating to consent decrees in juvenile delinquency proceedings.

**SSB 3035      Judiciary**

Relating to a fiduciary's access to digital assets and including applicability provisions.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2008**

HUMAN RESOURCES: Bolkcom, Chair; Johnson and Ragan

**Senate File 2009**

EDUCATION: Hart, Chair; Kraayenbrink and Wilhelm

**Senate File 2010**

EDUCATION: Mathis, Chair; Johnson and Schoenjahn

**Senate File 2011**

EDUCATION: Mathis, Chair; Hart and Johnson

**Senate File 2016**

HUMAN RESOURCES: Bolkcom, Chair; Dotzler and Segebart

**Senate File 2017**

EDUCATION: Dvorsky, Chair; Quirnbach and Zaun

**House File 228**  
(Reassigned)

EDUCATION: Bowman, Chair; Hart and Sinclair

**SSB 3031**

JUDICIARY: Petersen, Chair; Taylor and Zaun

**SSB 3032**

JUDICIARY: Hogg, Chair; Bisignano and Garrett



**SSB 3033**

JUDICIARY: Sodders, Chair; Bisignano and Zaun

**SSB 3034**

JUDICIARY: Petersen, Chair; Garrett and Taylor

**SSB 3035**

JUDICIARY: Hogg, Chair; Schneider and Sodders

**FINAL COMMITTEE REPORT OF BILL ACTION**

**JUDICIARY**

Bill Title: SENATE FILE 2022 (SSB 3002), a bill for an act relating to criminal jurisdiction on the Sac and Fox Indian settlement.

**Recommendation:** APPROVED COMMITTEE BILL.

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

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

# JOURNAL OF THE SENATE

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FIFTH CALENDAR DAY  
FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, January 15, 2016

The Senate met in regular session at 9:34 a.m., Senator Hart presiding.

The Journal of Thursday, January 14, 2016, was approved.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:35 a.m. until 10:00 a.m., Tuesday, January 19, 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 ADMINISTRATIVE SERVICES

Rebuild Iowa Infrastructure (RIIF) Fund— Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on January 15, 2016.

Revenue Bonds Capitals (RBC) Fund Status Report —Infrastructure Status Report, pursuant to Iowa Code section 12.88(4). Report received on January 15, 2016.

Revenue Bonds Capitals II (RBC2) Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12.88A(4). Report received on January 15, 2016.

Tobacco Settlement Trust Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12.E.12(9). Report received on January 15, 2016.

## DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Environment First Fund (EFF) — Infrastructure Status Report, pursuant to Iowa Code section 8.57A(5). Report received on January 14, 2016.

Rebuild Iowa Infrastructure (RIIF) Fund—Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on January 14, 2016.

## AUDITOR OF STATE

Independent Auditor's Report—Iowa Lottery Authority, pursuant to Iowa Code section 11.2. Report received on January 15, 2016.

Municipal Oversight Report, pursuant to Iowa Code section 11.6. Report received on January 14, 2016.

## COLLEGE STUDENT AID COMMISSION

Educational Credits Awarded to Veterans Report, pursuant to 2014 Iowa Acts, Chapter 1116, section 32. Report received on January 15, 2016.

## DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

Consumer Advocate Bureau Annual Report, pursuant to Iowa Code section 505.8. Report received on January 15, 2016.

## DEPARTMENT OF EDUCATION

Educational Credits Awarded to Veterans Report, pursuant to 2014 Iowa Acts, Chapter 1116, section 30. Report received on January 15, 2016.

## DEPARTMENT OF PUBLIC SAFETY

Rebuild Iowa Infrastructure (RIIF) Fund— Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on January 15, 2016.

## BOARD OF REGENTS

Activities, Projects, and Programs Funded with Board of Regents Innovation Fund Appropriations Report, pursuant to 2012 Iowa Acts, Chapter 1136, section 17. Report received on January 14, 2016.

## IOWA VETERANS HOME

Iowa Veterans Home Annual Report, pursuant to Iowa Code section 35D.17. Report received on January 14, 2016.

# JOURNAL OF THE SENATE

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NINTH CALENDAR DAY  
SIXTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, January 19, 2016

The Senate met in regular session at 10:02 a.m., President Jochum presiding.

Prayer was offered by the Honorable Rita Hart, member of the Senate from Clinton County, Wheatland, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kira Le.

The Journal of Friday, January 15, 2016, was approved.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:06 a.m. until 9:00 a.m., Wednesday, January 20, 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 EDUCATION

Child Development Coordinating Council Annual Report, pursuant to Iowa Code section 256A.3. Report received on January 19, 2016.

Enrich Iowa Program Report—Library Services Division, pursuant to Iowa Code section 256.57. Report received on January 15, 2016.

## IOWA COMMUNICATIONS NETWORK

FY 2015 Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 19, 2016.

Environment First Fund (EFF)—Infrastructure Status Report, pursuant to Iowa Code section 8.57A(5). Report received on January 19, 2016.

Iowa Telecommunications and Technology Commission Report, pursuant to Iowa Code section 8D.3(3)(g). Report received on January 19, 2016.

Rebuild Iowa Infrastructure (RIIF) Fund—Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on January 19, 2016.

Revenue Bonds Capitals (RBC) Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12.88(4). Report received on January 19, 2016.

Revenue Bonds Capitals II (RBC2) Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12.88A(4). Report received on January 19, 2016.

## JUDICIAL BRANCH

Jury and Witness Fees Report, pursuant to Iowa Code section 602.1302. Report received on January 15, 2016.

## DEPARTMENT OF PUBLIC DEFENSE

FY 2015 Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 15, 2016.

Offenses Reported to Civilian Law Enforcement Authorities, pursuant to Iowa Code section 29B.116B. Report received on January 19, 2016.

Rebuild Iowa Infrastructure (RIIF) Fund—Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on January 15, 2016.

## DEPARTMENT OF PUBLIC HEALTH

Board of Medicine and Board Physician Assistants Joint Report, pursuant to Iowa Code section 148C.12. Report received on January 15, 2016.

## BOARD OF REGENTS

Gifts and Grants Monthly Report for December 2015, pursuant to Iowa Code section 8.44. Report received on January 19, 2016.

Institute for Physical Research and Technology (ISU) Report, pursuant to 2011 Iowa Acts, Chapter 130, section 11. Report received on January 15, 2016.

UIHC Audited Financial Report, pursuant to Iowa Code section 263A.13. Report received on January 15, 2016.

## IOWA STUDENT LOAN

Year in Review Report, pursuant to Iowa Code section 7C.13. Report received on January 15, 2016.

### DEPARTMENT OF TRANSPORTATION

Highway Construction Program Expenditures and Contractual Obligations Report, pursuant to Iowa Code section 307.12(1)(o). Report received on January 15, 2016.

Materials and Equipment Revolving Fund Annual Purchase Report, pursuant to Iowa Code section 307.47(4). Report received on January 15, 2016.

Natural Resources and Outdoor Recreations Trust Fund Report, pursuant to Iowa Code section 461.22. Report received on January 15, 2016.

Rebuild Iowa Infrastructure (RIIF) Fund—Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on January 15, 2016.

Revenue Bonds Capitals II (RBC2) Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12.88A(4). Report received on January 15, 2016.

## REPORT OF COMMITTEE MEETING

### JUDICIARY

**Convened:** Tuesday, January 19, 2016, 3:35 p.m.

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

**Members Absent:** Whitver and Zaun (both excused).

**Committee Business:** Presentations and discussion on human trafficking.

**Adjourned:** 5:15 p.m.

## INTRODUCTION OF BILLS

**Senate File 2023**, by Jochum, a bill for an act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered.

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

**Senate File 2024**, by Feenstra, a bill for an act relating to city eligibility for receipt of abandoned building program funding assistance.

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

**Senate File 2025**, by Chelgren, Schneider, and Schultz, a bill for an act relating to the reclassification of marijuana, including tetrahydrocannabinols, under the controlled substance schedules.

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

**Senate File 2026**, by Chelgren, Behn, Bertrand, Anderson, Shipley, Costello, Kraayenbrink, Schultz, Sinclair, Kapucian, Kinney, Bowman, Rozenboom, Garrett, Guth, Whitver, and Johnson, a bill for an act relating to possession and use of certain handguns while hunting deer and including penalties.

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

#### STUDY BILLS RECEIVED

**SSB 3036      Human Resources**

Relating to the prescribing and dispensing of oral contraceptives under the Medicaid program.

**SSB 3037      State Government**

Relating to absentee voting by uniformed and overseas citizens.

**SSB 3038      State Government**

Concerning reports of financial irregularities filed by the state auditor with a county attorney.

**SSB 3039 State Government**

Relating to disaster aid payment authorization requirements under specified circumstances.

**SSB 3040 State Government**

Modifying the notice period for public improvement projects.

**SSB 3041 Veterans Affairs**

Relating to the department of public defense by providing for the gold star military museum modifying funding provisions for the national guard assistance program, and including effective and date provisions

**SSB 3042 State Government**

Authorizing the dispensing of lottery tickets and products by self-service kiosks, and including effective date provisions.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2**  
(Reassigned)

VETERANS AFFAIRS: Danielson, Chair; Costello and Sadders

**Senate File 2007**

LOCAL GOVERNMENT: Taylor, Chair; Quirmbach and Sinclair

**Senate File 2013**

STATE GOVERNMENT: Danielson, Chair; Chapman and Petersen

**Senate File 2019**

COMMERCE: McCoy, Chair; Bertrand and Mathis

**SSB 3036**

HUMAN RESOURCES: Mathis, Chair; Ragan and Segebart

**SSB 3037**

STATE GOVERNMENT: Danielson, Chair; Bertrand and Horn



**SSB 3038**

STATE GOVERNMENT: McCoy, Chair; Petersen and Schultz

**SSB 3039**

STATE GOVERNMENT: Dvorsky, Chair; Schoenjahn and Schultz

**SSB 3040**

STATE GOVERNMENT: McCoy, Chair; Bowman and Johnson

**SSB 3041**

VETERANS AFFAIRS: Mathis, Chair; Ragan and Rozenboom

**SSB 3042**

STATE GOVERNMENT: Danielson, Chair; Bertrand and McCoy

# JOURNAL OF THE SENATE

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TENTH CALENDAR DAY  
SEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, January 20, 2016

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Dr. Dan McClure, retired Army chaplain from Washington, Iowa. He was the guest of Senator Johnson.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Samantha Lofthouse.

The Journal of Tuesday, January 19, 2016, was approved.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 9:17 a.m. until 1:00 p.m.

## APPENDIX—1

### COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### TREASURER OF STATE

Rebuild Iowa Infrastructure (RIIF) Fund—Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on January 20, 2016.

## REPORT OF COMMITTEE MEETING

### HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE

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

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

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

**Committee Business:** Organizational meeting.

**Adjourned:** 2:00 p.m.

### INTRODUCTION OF BILLS

**Senate File 2027**, by Bolkcom, 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 referred to committee on **Natural Resources and Environment**.

**Senate File 2028**, by Bolkcom, Taylor, Dearden, Petersen, Soddors, Dvorsky, Dotzler, and Kinney, a bill for an act creating a nonprofit organization energy efficiency grant program and making an appropriation.

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

**Senate File 2029**, by Bolkcom, Dearden, Dvorsky, Dotzler, and Kinney, a bill for an act relating to installation, operation, and use of solar energy systems.

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

**Senate File 2030**, by Bolkcom, Dearden, Soddors, and Dvorsky, a bill for an act relating to solar energy by providing for the establishment of solar interconnection agreements and alternative tariff rates.

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

**Senate File 2031**, by Bolkcom, Dearden, Jochum, Soddors, and Dvorsky, a bill for an act relating to solar energy by establishing a community solar garden program.

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

#### STUDY BILLS RECEIVED

##### **SSB 3043      Education**

Relating to school coaching endorsements and authorizations and certain emergency medical procedures training requirements, and including applicability provisions.

##### **SSB 3044      Education**

Relating to reporting of potential concussions or brain injuries in certain extracurricular interscholastic athletic contests.

#### SUBCOMMITTEE ASSIGNMENTS

##### **Senate File 2020**

COMMERCE: McCoy, Chair; Anderson and Courtney

##### **Senate File 2026**

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

##### **SSB 3043**

EDUCATION: Bowman, Chair; Kraayenbrink and Mathis

##### **SSB 3044**

EDUCATION: Bowman, Chair; Johnson and Mathis

## RECONVENED

The Senate reconvened at 1:04 p.m., President Jochum presiding.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Anderson, Bertrand, and Zumbach, until they arrive, on request of Senator Dix.

## CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2022.

### Senate File 2022

On motion of Senator Sodders, **Senate File 2022**, a bill for an act relating to criminal jurisdiction on the Sac and Fox Indian settlement, was taken up for consideration.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2022), the vote was:

Yeas, 41:

Allen	Dotzler	Kraayenbrink	Seng
Behn	Dvorsky	Mathis	Shipley
Bisignano	Feenstra	McCoy	Sinclair
Bolkcom	Gronstal	Petersen	Smith
Bowman	Hart	Quirmbach	Sodders
Brase	Hogg	Ragan	Taylor
Breitbach	Horn	Rozenboom	Whitver
Courtney	Jochum	Schneider	Wilhelm
Danielson	Johnson	Schoenjahn	
Dearden	Kapucian	Schultz	
Dix	Kinney	Segebart	

Nays, 6:

Chapman	Costello	Guth
Chelgren	Garrett	Zaun

Absent, 3:

Anderson	Bertrand	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2022** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:24 p.m. until 9:00 a.m., Thursday, January 21, 2016.

### APPENDIX—2

#### CERTIFICATES OF RECOGNITION

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

Kay Cunningham, Waterloo—For celebrating her 100<sup>th</sup> birthday. Senator Dotzler.

Evelyn Kuehl, Waterloo—For celebrating her 90<sup>th</sup> birthday. Senator Dotzler.

Joe Moralez, Bettendorf—For achieving the 2016 Excellence in Mentoring Award. Senator Smith.

Cathy Russell, Council Bluffs—Upon retirement after 43 years of service. Senator Gronstal.

Robert Wilharm, Waterloo—For celebrating his 100<sup>th</sup> birthday. Senator Dotzler.

## REPORTS OF COMMITTEE MEETINGS

### EDUCATION

**Convened:** Wednesday, January 20, 2016, 2:35 p.m.

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

**Members Absent:** None.

**Committee Business:** Discussion on decoding dyslexia.

**Adjourned:** 3:30 p.m.

### LABOR AND BUSINESS RELATIONS

**Convened:** Monday, January 11, 2016, 1:05 p.m.

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

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

**Committee Business:** Organizational meeting.

**Adjourned:** 1:10 p.m.

### TRANSPORTATION

**Convened:** Tuesday, January 12, 2016, 1:35 p.m.

**Members Present:** Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbach, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, McCoy, Quirmbach, and Smith.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

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

## INTRODUCTION OF RESOLUTIONS

**Senate Resolution 101**, by McCoy, a resolution supporting the federal government's proposed rule changes that would restrict the sale of African ivory across state lines.

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

**Senate Resolution 102**, by Chelgren, Schultz, Chapman, Breitbach, Feenstra, Behn, Zaun, Garrett, Guth, and Anderson, a resolution condemning the terrorist acts of al Qaeda and the Islamic State of Iraq and Syria.

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

## INTRODUCTION OF BILLS

**Senate File 2032**, by McCoy, a bill for an act relating to the disclosure of mental health information for the purpose of patient care coordination, and including effective date provisions.

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

**Senate File 2033**, by Ragan, a bill for an act exempting from the sales tax certain items and services sold to a nonprofit human blood collection and processing establishment, including effective date and retroactive applicability provisions.

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

**Senate File 2034**, by Bolkom, a bill for an act establishing a solar energy minimum purchase standard applicable to specified electric utilities.

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



**STUDY BILLS RECEIVED****SSB 3045      Natural Resources and Environment**

Relating to the funding and operation of programs to collect and dispose of household hazardous materials.

**SSB 3046      Education**

Relating to reading and literacy requirements for practitioner preparation programs.

**SSB 3047      Education**

Relating to and appropriating licensing fees collected by the board of educational examiners and including effective date and retroactive applicability provisions.

**SSB 3048      Education**

Relating to disciplinary actions taken against a licensed school employee that are required to be reported to the board of educational examiners.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2024**

NATURAL RESOURCES AND ENVIRONMENT: Brase, Chair; Johnson and Petersen

**Senate File 2027**

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

**Senate File 2028**

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

**SSB 3045**

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

**SSB 3046**

EDUCATION: Quirnbach, Chair; Behn and Hart

**SSB 3047**

EDUCATION: Schoenjahn, Chair; Bowman and Kraayenbrink

**SSB 3048**

EDUCATION: Schoenjahn, Chair; Dvorsky and Sinclair

# JOURNAL OF THE SENATE

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ELEVENTH CALENDAR DAY  
EIGHTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, January 21, 2016

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by the Honorable Mark Segebart, member of the Senate from Crawford County, Vail, Iowa.

## PLEDGE OF ALLEGIANCE

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

The Journal of Wednesday, January 20, 2016, was approved.

## ADJOURNMENT

On motion of Senator Bolkcom, the Senate adjourned at 9:21 a.m. until 1:00 p.m., Monday, January 25, 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 LOTTERY AUTHORITY

Iowa Lottery Authority Quarterly Report for Quarter Ended December 31, 2015, pursuant to Iowa Code section 99G.7. Report received on January 21, 2016.

#### MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

FY 2015 Annual Report, pursuant to Iowa Code section 411.5. Report received on January 21, 2016.

## UTILITIES DIVISION

Customer Contribution Utility Fund Report, pursuant to Iowa Code section 476.66.  
Report received on January 20, 2016.

## REPORTS OF COMMITTEE MEETINGS

**ECONOMIC GROWTH**

**Convened:** Thursday, January 21, 2016, 2:05 p.m.

**Members Present:** Hart, Chair; Anderson, Bisignano, Bowman, Chapman, Dotzler, Guth, Mathis, Schneider, Taylor, and Wilhelm.

**Members Absent:** Sodders, Vice Chair; Chelgren, Ranking Member; Breitbach, and Danielson (all excused).

**Committee Business:** Presentations by DOT Director Paul Trombino and Director of the Iowa Economic Development Authority, Debi Durham.

**Adjourned:** 2:55 p.m.

**HUMAN RESOURCES**

**Convened:** Wednesday, January 20, 2016, 3:35 p.m.

**Members Present:** Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm.

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

**Committee Business:** Approved SSB 3005.

**Adjourned:** 4:15 p.m.

**TRANSPORTATION**

**Convened:** Wednesday, January 20, 2016, 3:35 p.m.

**Members Present:** Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbach, Danielson, Horn, Kraayenbrink, Quirmbach, and Smith.

**Members Absent:** Dearden, Feenstra, and McCoy (all excused).

**Committee Business:** Presentation by Director Trombino from the DOT.

**Adjourned:** 4:30 p.m.

**EDUCATION APPROPRIATIONS SUBCOMMITTEE**

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

**Members Present:** Schoenjahn, Chair; Quirmbach, Vice Chair; Kraayenbrink, Ranking Member; Horn, and Sinclair.

**Members Absent:** None.

**Committee Business:** Presentations by Head Start and Early Head Start programs.

**Adjourned:** 10:55 a.m.

**HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE**

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

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

**Members Absent:** None.

**Committee Business:** Presentation from Children's Mental Health Workgroup and DHS on autism services.

**Adjourned:** 11:30 a.m.

**INTRODUCTION OF RESOLUTION**

**Senate Joint Resolution 2001**, by Johnson, Segebart, Guth, Shipley, Behn, Sinclair, Garrett, Breitbach, Feenstra, Chapman, Anderson, Bertrand, Schneider, Zaun, and Rozenboom, a joint resolution proposing an amendment to the Constitution of the State of Iowa specifying that no fundamental right to abortion exists under the Constitution of the State of Iowa.

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

**INTRODUCTION OF BILLS**

**Senate File 2035**, by committee on Human Resources, a bill for an act relating to the reimbursement rate for juvenile shelter care homes and including effective date and retroactive applicability provisions.

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

**Senate File 2036**, by Wilhelm, a bill for an act relating to licensure of home food establishments by raising the ceiling on gross annual sales for a home food establishment.

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

**Senate File 2037**, by Sodders, a bill for an act concerning the manufacture of wine for personal use.

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

**Senate File 2038**, by Zaun, a bill for an act authorizing school districts to deduct and pay fees for membership in not-for-profit professional education associations.

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

**Senate File 2039**, by Petersen, a bill for an act relating to the limitations of criminal actions in sexually motivated or exploitation offenses that involve a minor, modifying the criminal offense for disseminating obscene materials to minors, and providing penalties.

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

#### STUDY BILL RECEIVED

#### **SSB 3049      Judiciary**

Relating to electronic recordings of court proceedings within a magistrate's jurisdiction.

#### SUBCOMMITTEE ASSIGNMENTS

##### **Senate File 508**

STATE GOVERNMENT:      Danielson, Chair; Bertrand, Chapman, Horn and Schoenjahn

**Senate File 2021**

EDUCATION: Schoenjahn, Chair; Dvorsky and Sinclair

**Senate File 2023**

JUDICIARY: Taylor, Chair; Bisignano and Garrett

**Senate File 2025**

JUDICIARY: Horn, Chair; Schneider and Soddors

**Senate File 2029**

LOCAL GOVERNMENT: Allen, Chair; Sinclair and Wilhelm

**Senate File 2032**

HUMAN RESOURCES: Jochum, Chair; Garrett and Wilhelm

**SSB 3049**

JUDICIARY: Bisignano, Chair; Garrett and Horn

**FINAL COMMITTEE REPORT OF BILL ACTION**

**HUMAN RESOURCES**

**Bill Title:** SENATE FILE 2035 (SSB 3005), a bill for an act relating to the reimbursement rate for juvenile shelter care homes and including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

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

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

# JOURNAL OF THE SENATE

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FIFTEENTH CALENDAR DAY  
NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, January 25, 2016

The Senate met in regular session at 1:04 p.m., President Jochum presiding.

Prayer was offered by Pastor Clegguart Mitchell of the Leon Bible Church in Leon, Iowa. He was the guest of Senator Sinclair.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Cade Olmstead.

The Journal of Thursday, January 21, 2016, was approved.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:07 p.m. until 9:00 a.m., Tuesday, January 26, 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:

#### AUDITOR OF STATE

Independent Auditor's Report—Iowa Judicial Retirement System, pursuant to Iowa Code section 11.2. Report received on January 25, 2016.



Peace Officers' Retirement, Accident and Disability System Independent Auditor's Report, pursuant to Iowa Code section 11.6. Report received on January 25, 2016.

Report of Recommendations to the University of Iowa, pursuant to Iowa Code section 11.4. Report received on January 25, 2016.

#### DEPARTMENT OF EDUCATION

Condition of Education Annual Report, pursuant to Iowa Code section 256.7. Report received on January 25, 2016.

#### JUDICIAL BRANCH

ICIS Collection of Fines, Surcharges and Court Costs Report, pursuant to 2012 Iowa Acts, Chapter 1137. Report received on January 25, 2016.

#### DEPARTMENT OF NATURAL RESOURCES

Environmental Protection Commission Annual Report, pursuant to Iowa Code section 455B.105(5). Report received on January 25, 2016.

#### BOARD OF PAROLE

Reversions Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62(3). Report received on January 25, 2016.

#### BOARD OF PHARMACY

Iowa Prescription Monitoring Program Report, pursuant to Iowa Code section 124.554. Report received on January 25, 2016.

#### WORLD FOOD PRIZE FOUNDATION

2015 Annual Report, pursuant to 2007 Iowa Acts, Chapter 212, section 3. Report received on January 21, 2016.

### REPORTS OF COMMITTEE MEETINGS

#### EDUCATION

**Convended:** Monday, January 25, 2016, 1:35 p.m.

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

**Members Absent:** None.

**Committee Business:** Department of Education presentation.

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

**STATE GOVERNMENT**

**Convened:** Monday, January 25, 2016, 2:35 p.m.

**Members Present:** Danielson, Chair; Courtney, Vice Chair; Bowman, Dearden, Dvorsky, Feenstra, Horn, Johnson, Petersen, Schoenjahn, and Schultz.

**Members Absent:** Bertrand, Ranking Member; Chapman, McCoy, and Whitver (all excused).

**Committee Business:** Presentations by Don Johnson, President of the Laura Project; and Robert von Wolfradt, Chief Information Officer of the State of Iowa.

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

**TRANSPORTATION**

**Convened:** Monday, January 25, 2016, 3:35 p.m.

**Members Present:** Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbach, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, and Quirmbach.

**Members Absent:** McCoy and Smith (both excused).

**Committee Business:** Director Dan Franklin of the Iowa DOT's Office of Policy and Legislative Services and other DOT officials gave a presentation on the Federal Fast Act.

**Adjourned:** 4:15 p.m.

**INTRODUCTION OF RESOLUTION**

**Senate Joint Resolution 2002**, by Chelgren, a joint resolution proposing an amendment to the Constitution of the State of Iowa permitting electors to propose and to vote to submit initiative bills to the general assembly for consideration.

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

## INTRODUCTION OF BILLS

**Senate File 2040**, by Sinclair, Schultz, Shipley, Rozenboom, Behn, Dvorsky, Kraayenbrink, Chelgren, Guth, Garrett, Breitbach, Johnson, Anderson, Zaun, Kinney, Bolkcom, Feenstra, Costello, Segebart, Bisignano, Bertrand, Chapman, Kapucian, and Bowman, a bill for an act relating to statewide assessments of student progress utilizing core academic indicators and including effective date provisions.

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

**Senate File 2041**, by Sinclair, Schultz, Shipley, Rozenboom, Kraayenbrink, Guth, Breitbach, and Anderson, a bill for an act relating to the establishment of the state percent of growth and the categorical state percent of growth and including applicability provisions.

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

**Senate File 2042**, by Mathis, a bill for an act establishing an Iowa employment and education rides initiative and related fund in the state department of transportation.

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

**Senate File 2043**, by Johnson, a bill for an act relating to taxation by providing for the protection from disallowance of tax benefits to nonprofit organizations because of certain religious beliefs and moral convictions, and including effective date provisions.

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

**Senate File 2044**, by Johnson, a bill for an act relating to taxation by providing for the protection from disallowance of tax benefits to private nonprofit educational institutions because of certain religious beliefs and moral convictions, and including effective date provisions.

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

**Senate File 2045**, by Sinclair, Schultz, Shipley, Kapucian, Chelgren, Rozenboom, Behn, Kraayenbrink, Guth, Garrett, Breitbach, Johnson, Bertrand, Anderson, and Zaun, a bill for an act allowing a person to carry an uncased and loaded firearm while operating or riding an all-terrain vehicle as part of a farm operation and including a penalty.

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

**Senate File 2046**, by Ragan, a bill for an act appropriating funds for a supported employment provider rate increase, and including effective date and retroactive applicability provisions.

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

**Senate File 2047**, by Sinclair, Schultz, Shipley, Rozenboom, Behn, Kraayenbrink, Schneider, Chelgren, Guth, Garrett, Breitbach, Johnson, Anderson, and Zaun, a bill for an act relating to the accreditation of nonpublic schools by independent accrediting agencies approved by the state board of education.

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

**Senate File 2048**, by Zaun, a bill for an act establishing a multiple sclerosis support fund and authorizing lottery games to benefit persons with multiple sclerosis.

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

**Senate File 2049**, by Ragan, a bill for an act relating to speech therapy benefits for children under Medicaid managed care.

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

**Senate File 2050**, by Brase, a bill for an act relating to the applicability of motor vehicle size, weight, and load limitations to law enforcement vehicles.

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

**Senate File 2051**, by Bolkcom, Taylor, Dearden, and McCoy, a bill for an act creating the Iowa death with dignity Act and providing penalties.

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

**Senate File 2052**, by Wilhelm, Feenstra, Brase, Anderson, Kapucian, and Hogg, a bill for an act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date and retroactive applicability provisions.

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

#### STUDY BILLS RECEIVED

##### **SSB 3050      Economic Growth**

Relating to the programs and duties of the economic development authority and including effective date provisions.

##### **SSB 3051      Appropriations**

Relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

## **SSB 3052      State Government**

Including certain board of regents institution special security officers and civil commitment unit or sex offenders employees in the protection occupation category of the Iowa public employees' retirement system.

### **SUBCOMMITTEE ASSIGNMENTS**

#### **Senate File 504**

WAYS AND MEANS: Bolkcom, Chair; Behn and Petersen

#### **Senate File 2018**

WAYS AND MEANS: Bolkcom, Chair; Feenstra and Quirmbach

#### **Senate File 2027**

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

#### **Senate File 2028**

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

#### **Senate File 2030**

COMMERCE: Bolkcom, Chair; Schneider and Soddors

#### **Senate File 2031**

COMMERCE: Bolkcom, Chair; Allen and Schneider

#### **Senate File 2034**

COMMERCE: Bolkcom, Chair; Schneider and Soddors

#### **Senate File 2036**

STATE GOVERNMENT: Bowman, Chair; Petersen and Schultz

#### **SSB 3050**

ECONOMIC GROWTH: Wilhelm, Chair; Bisignano and Schneider

#### **SSB 3051**

APPROPRIATIONS: McCoy, Chair; Dvorsky and Kapucian

#### **SSB 3052**

STATE GOVERNMENT: Courtney, Chair; Dearden and Schultz

# JOURNAL OF THE SENATE

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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, Quirmbach, 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: Soddors, 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 Bolcom

**Senate File 2045**

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Bolcom 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: Soddors, Chair; Garrett and Hogg

**SSB 3054**

JUDICIARY: Soddors, 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

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



# JOURNAL OF THE SENATE

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SEVENTEENTH CALENDAR DAY  
ELEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, January 27, 2016

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

Prayer was offered by the National Anthem Singers from Williamsburg High School. They were the guests of Senators Kapucian and Ragan.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kasey Springsteen.

The Journal of Tuesday, January 26, 2016, was approved.

## SPECIAL GUESTS

Senator Hart introduced to the Senate chamber the new Kosovo Ambassador to the United States and the Kosovo Security Forces Military Attaché to the United States.

The Senate rose and expressed its welcome.

## COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate stood at ease at 9:08 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:47 a.m., President Jochum presiding.

### JOINT CONVENTION

In accordance with law and House Concurrent Resolution 103, duly adopted, the joint convention was called to order at 9:53 a.m., President Jochum presiding.

Senator Gronstal moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to escort Governor Terry E. Branstad to the House chamber.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Kinney, Allen, and Smith on the part of the Senate, and Representatives Holz, T. Moore, and Running-Marquardt on the part of the House.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify the Adjutant General of the Iowa National Guard, Major General Tim Orr, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Hogg, Courtney, and Costello on the part of the Senate, and Representatives Gustafson, Salmon, and Kearns on the part of the House.

Secretary of State, Paul D. Pate; State Auditor, Mary Mosiman; and Attorney General, Tom Miller were escorted into the House chamber.

Lieutenant Governor Kim Reynolds was escorted into the House chamber.

Major General Tim Orr's wife, Suzanne Orr, and Ambassador Citaku and Brigadier General Gashi of Kosovo were escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him into the House chamber.

The committee waited upon Major General Tim Orr, Adjutant General of the Iowa National Guard, and escorted him to the Speaker's station.

President Jochum presented Major General Tim Orr, Adjutant General of the Iowa National Guard. Major General Tim Orr delivered the following Condition of the Guard Address:

Good morning Ladies and gentlemen—thank you for your warm welcome.

Speaker Upmeyer, President Jochum, distinguished members of the Iowa Senate and House of Representatives—thank you for the opportunity to once again address this joint convention of the Eighty-Sixth General Assembly of the Iowa Legislature.

Governor Branstad, Lieutenant Governor Reynolds, distinguished guests, and fellow Iowans.

It is my honor to stand before you today in this great chamber—in front of a joint session of the Iowa Legislature—to share with you the Condition of the Iowa National Guard.

I want to begin by saying thank you—thank you to Governor Branstad, Lieutenant Governor Reynolds, and the Iowa General Assembly for your consistent and strong support and outstanding leadership during one of the longest, most challenging periods in our nation's and state's history.

We are incredibly grateful for your participation in our homecomings, sendoffs, and military ceremonies, and for your untiring efforts to work critical issues between the Council of Governors, the Department of Defense, and the National Guard. We also thank you for your support of the Home Base Iowa program and everything you do to honor the men and women who serve in the military, their families, and our civilian employers.

I also owe a very special thank you to the mothers and fathers who continue to show their support for the Iowa National Guard by continuing to entrust us with their most sacred treasure—their sons and daughters—and for allowing them to serve our state and nation.

Nothing is more important or a greater testament to the vitality of our organization than for a parent to trust us with whom they cherish most. I will continue to do everything I can to honor that trust and strive to never allow it to be broken.

And I want to thank the people of Iowa. Your continued support for our Soldiers, Airmen, and families has been absolutely incredible, particularly over the past 14 years as a nation at war.

In this time of uncertainty where national and global security challenges are intertwined with fiscal constraints, the Iowa National Guard stands ready to meet these challenges head-on and open a new chapter in our long and proud history.

This new chapter begins with an Iowa National Guard that is more accessible, responsive, and capable than ever before.

A strategic transition is underway in the U.S. military—a necessary transition driven by constrained resources after more than 14 years of sustained combat operations.

While the Iowa National Guard must deal realistically with federal budget limits coupled with a volatile global security landscape, we must always ensure that we can accomplish our four core missions in the Iowa National Guard:

Providing combat-ready Soldiers and Airmen for the global warfight and operational missions as required to keep our nation safe;

Responding here at home with robust homeland security and domestic response capabilities;

Making our communities better places to live; and

Building strong relationships with our Total Force partners.

But in addition to our four primary missions, there are unique opportunities for the Iowa National Guard to assist the State of Iowa as a shared partner in finding solutions to some of our State's challenges.

Whether it is providing our young people an opportunity to pursue higher education, offering meaningful job skills and employment, molding productive citizens, or promoting a healthy, drug-free, physically-fit Iowa, the Iowa National Guard can help Iowa solve many of those challenges.

The Iowa National Guard has proven, time and time again, that we are and will remain Iowa's Service of Choice for our young men and women who want to serve their state and nation, and keep Iowa strong.

In the 21st century, developing and maintaining skilled Soldiers and Airmen requires drawing strength from the broadest possible pool of service-eligible Iowans. The Iowa National Guard of the future must continue to enlist and utilize the best people Iowa has to offer.

Last month, Secretary of Defense Ashton Carter announced that for the first time in our nation's history, women in the U.S. armed forces may serve in any position for which they're qualified, including in combat roles.

How does that affect Iowa? As a result of this policy change, nearly 1,700 positions in the Iowa National Guard have opened to Iowa women this year for the first time in our nearly 180-year history.

Our best qualified citizens, regardless of gender, will now be afforded the opportunity to serve in any duty position across the Iowa National Guard. And we didn't waste time turning Secretary Carter's words into action. High school students Cheney Spaulding of Fort Dodge and Dakota Doocy of Lone Rock have enlisted into artillery positions as females for the first time in our history with the 1st Battalion, 194th Field Artillery, and University of Iowa sophomore Megan Reaska became Iowa's first female combat engineer in December. We couldn't be prouder of these groundbreaking young women and the example they set for all Iowans.

Our ability to meet all contingencies in Iowa and abroad while enabling security around the world is no small task. For nearly a decade and a half of combat, our Iowa men and women have fought alongside our active component counterparts with distinction and valor.

Since 9/11, the Iowa National Guard has met every deployment requirement assigned to them, with the broadest mission sets possible. From the 2nd Infantry Brigade Combat Team conducting counterinsurgency operations, to our expeditionary 185th Air Refueling Wing operating around the world, as well as highly-specialized units such as the 734th Agribusiness Development Team, we have worked seamlessly with our active duty Army and Air Force counterparts. With nearly 18,000 individual

overseas mobilizations since September 11, 2001, the Iowa National Guard has proven time and time again, that we are and will remain a full operational partner with our active duty counterparts.

Today, more than 40% of our currently serving Soldiers and Airmen are combat veterans, the highest percentage in our organization's modern history. Their accomplishments and capabilities are a testament to the years of training and investment Iowa and our nation have put into the Iowa National Guard to form a vital piece of the on-demand, all-volunteer force that defends our nation.

We have the most proficient, capable, accessible, and battle-tested National Guard in the history of Iowa. Today, the Iowa Army and Air National Guard is the best trained, equipped, and led organization in our 177-year history.

Currently we have approximately 15 Soldiers and Airmen deployed around the world, which is among the lowest number of deployed service members from the Iowa National Guard since the start of Operations Enduring and Iraqi Freedom. But despite the reduction in overseas contingency operations, Iowans continue to serve across the globe on a daily basis.

As we gather today, Airmen from the 185th Air Refueling Wing from Sioux City are deployed worldwide, providing ongoing refueling support of real-world missions to the Air Force, Army, Navy, Marine Corps, and coalition forces.

In the past year, the 185th has deployed more than 320 Airmen for nearly 15,000 active duty days. During this deployment cycle, Airman from the 185th deployed to nine countries in support of Central Command operations, flying 137 missions for 1,100 flight hours, while refueling coalition aircraft with more than 22 million pounds of fuel. The unit was awarded its eighth Air Force Outstanding Unit Award this past year, which speaks volumes about the quality and performance of this unit and its Airmen.

Additionally, we have two Iowa Army National Guard units and several individual deployers identified for potential overseas deployments in 2016.

Going forward, the need for the powerful capabilities the National Guard provides cannot be overstated. Right now the level of uncertainty, the velocity of instability, and potential for significant conflict around world is greater than since the end of the Cold War in 1989.

We are now at a point where current and projected demands for Army and Air Force assets around the globe continue to decrease. But as we've seen before, this situation could change in a moment's notice, depending on the needs of the nation.

With the continued downward trend in deployments, the Iowa National Guard has ramped up its training opportunities to keep our skills sharp and capabilities robust. During 2015, the Iowa National Guard conducted one of its most aggressive training years in history. We sent units to: Korea; Camp Guernsey, Wyoming; Camp Rapid, South Dakota; Fort Campbell, Kentucky; Red River, Texas and to the Joint Readiness Training Center, Fort Polk, Louisiana, among other locations.

The 2nd Infantry Brigade Combat Team was one of two brigades selected out of twenty-eight brigades in the Army National Guard to participate in a training rotation at the world-class Joint Readiness Training Center. Nearly 6,000 active duty, Army Reserve, and National Guard Soldiers and Airmen from 24 states, including more than 3,000 from the Iowa National Guard, participated in this rigorous, relevant and realistic 21-day field exercise. The successful training center rotation validated the 2nd Brigade as a priority brigade for future Army requirements.

As a result of their outstanding performance at the Joint Readiness Training Center, selected units of the 2nd Brigade will deploy to Alaska this summer for a 21-day annual training event, where they will help prepare active duty Army units for an upcoming Joint Readiness Training Center rotation. In addition, elements of the 2nd

Brigade headquarters will conduct annual training in Turkey and Korea to support Army command post exercises.

This type of training partnership between Army National Guard, Army Reserve, and active duty Army units is a new concept designed to increase training opportunities and to boost leader development and capabilities within the Army. Called the Total Force Partnership program, it is the first of its kind in the Iowa National Guard. In our case, the Total Force Partnership program establishes a formal relationship between the Army's 101st Airborne Division and Iowa's 2nd Infantry Brigade Combat Team.

New emerging missions continue to make the Iowa National Guard even more relevant today at home and abroad, particularly with the innovation of advanced technology fielded into the military services.

We continue to make great progress on the conversion of the 132nd Wing, based in Des Moines, from F-16 fighter aircraft into three new, enduring missions: a Remotely Piloted Aircraft group; an intelligence surveillance reconnaissance group; and a cyber operations squadron.

Over the past two years, the unit has aggressively sent its Airmen for training in their new career assignments. More than 630 Airmen have completed or are attending technical schools at various installations across the U.S., gaining valuable training in imagery analysis, remotely piloted aircraft operations, and cyber security that will translate well into Iowa's growing technology sectors. Additionally, unit members earned more than 100 associate's degrees in 2015 through the Community College of the Air Force program, which ranked the 132nd first out of 90 Air National Guard units across the country.

With the departure of the F-16 fighter jets, the 132nd has repurposed the Iowa Air National Guard Base Des Moines facilities to support the consolidation/stationing of the RC-26 and C-12 fixed wing aircraft, along with providing indoor storage capabilities for UH-60 "Mike" model helicopters, the newest helicopter in the Iowa National Guard fleet. This consolidation effort utilizing existing Department of Defense facilities protects more than \$75 million dollars of aircraft from harsh weather and environmental damage and repurposes hangar space to maximize taxpayer dollars.

As the 132nd provided more than \$70 million in economic infusion to Iowa last year through salaries, unit purchases from the local economy, military construction, and indirect job creation, retaining these highly-skilled Airmen and this unit at the Des Moines Airport significantly benefits Des Moines and the entire state of Iowa.

Additionally, current and future military construction necessary at the Iowa Air National Guard Base Des Moines for the mission conversion over the next several years is estimated at \$15–20 million, which will provide additional economic benefit for local builders and suppliers.

Another significant milestone for the Iowa Air National Guard is the 75th anniversary of the 132nd Wing at the Des Moines Airport.

Throughout 2016, the 132nd will celebrate their proud military aviation history through several planned community events.

With the operation of three new enduring missions, the stationing of multiple aircraft at the facility, the strategic basing of the 71st Civil Support Team at the Airbase, the one-of-a-kind Distributed Training Operations Center, and the enduring national security mission requirements at the Des Moines International Airport, the Iowa Air National Guard Base Des Moines is more important to our state and nation than ever before in our 75-year history at the airport.

Another way we're supporting and adapting to the changing global and operational environment is through the National Guard's State Partnership Program, or SPP.

The Iowa National Guard's State Partnership Program with the Republic of Kosovo continues to make great progress since its creation in March 2011.

Since the inception of our partnership with Kosovo, we have expanded our vision of a "Whole of Iowa/Whole of Kosovo" relationship and have conducted more than 90 engagements over the past five years between Iowa government and private entities, the Kosovo Security Force, Kosovo's Ministries of Agriculture, Health, Education, and Economic Development, and other Kosovo agencies.

Today, I am honored and very pleased to introduce the new Kosovo Ambassador to the United States, Vlora Citaku, and the Kosovo Security Forces Military Attaché to the United States, Brigadier General Xhavit Gashi, who are with us this morning as my honored guests.

I asked them to join us here today to help highlight this critically important relationship, but also to recognize the Kosovo government's historic decision to establish their first-ever consulate and trade office, which will open this Friday in downtown Des Moines.

Friday's ceremony will mark the first-ever foreign consulate office to open in Iowa, which has tremendous potential to promote and expedite trade and other opportunities between Kosovo and Iowa.

Please join me in giving Ambassador Citaku and Brigadier General Gashi a warm Iowa welcome.

Ambassador Citaku and General Gashi, thank you for making the journey to join us here today. We are honored to partner with Kosovo and we look forward to a strong and productive relationship in the years ahead.

But what anchors everything we do, whether in 1839, today, or in the future, is readiness. The Iowa National Guard has been able to maintain our position as a national leader in readiness among our fellow states because of programs like the Iowa National Guard Educational Assistance Program, a program funded in its entirety by the state of Iowa.

This year, nearly 1,700 of our men and women received up to 100% tuition paid at the State Regents' rate to attend Iowa colleges, universities, and community colleges through this program, keeping our young people here in the state and providing them with a high-quality, Iowa education. This critical recruiting and retention tool helps ensure our readiness and provides an invaluable benefit to our Soldiers and Airmen, and also to the state of Iowa, by educating young Iowans and keeping them in Iowa.

Another program that is assisting our citizens who join the Iowa National Guard and improving our readiness is our "Enlist to Employ" concept, which provides our service members with employment opportunities in Iowa upon the completion of their degree program. Like many of our Soldiers and Airmen, I'm a living example of an Iowan who joined the Iowa National Guard after high school, attended Des Moines Area Community College, Drake University, and Iowa State University, found meaningful employment in Iowa, and remained here.

We've partnered with two Home Base Iowa CHAMPS schools, Des Moines Area Community College and Iowa Central Community College, to conduct the Enlist to Employ program.

These types of programs fit hand-in-glove with the Home Base Iowa vision of attracting Iowa citizens and veterans to serve in the Iowa National Guard, attend Iowa colleges, universities and community colleges, and become a productive member of Iowa's workforce after graduation.

And the Iowa National Guard is doing our part to stimulate the economy of Iowa. This year, the Iowa National Guard brought in more than \$353 million dollars of federal funding into the state, which is more than 97% of our department's budget. Our

Soldiers and Airmen pay more in state property, payroll, and sales taxes than what the state provides in funding to the Iowa National Guard.

In addition to high-quality Soldiers and Airmen, we also need multifunctional and well-maintained infrastructure to keep the Iowa National Guard ready for the warfight and for emergency response here at home.

This past year, the Iowa Air and Army National Guard executed nearly \$20 million in federal funds for our construction and capital projects program. We completed new construction, renovations or additions at the Mason City, Clinton, and Sioux City armories, and at the Iowa Air National Guard Base Des Moines.

We currently have renovation and construction projects underway at the Council Bluffs armory and Field Maintenance Shop, the Dubuque armory, and the Iowa Air National Guard Base Des Moines.

Whether responding to natural disasters such as severe storms, tornadoes, blizzards, flooding, or man-made threats to the homeland, the Iowa National Guard is the first military force to reach the scene, working hand-in-hand with state and local leaders and emergency personnel when called by the governor.

I am very pleased to report that 2015 has been a relatively quiet year for our emergency response operations.

We used this additional time to plan, prepare, and exercise for potential disaster response on a multitude of scenarios.

Last year, my emergency response priority for the team was the development, synchronization, and rehearsal for a large scale, catastrophic tornado in our state.

This last year, we shifted our focus to plan and conduct the national-level Vigilant Guard exercise. The mission of this domestic operations exercise was to evaluate the Iowa National Guard's ability to respond to multiple, geographically-disparate, catastrophic disasters in order to strengthen federal, regional, and state response partnerships. My intent for the exercise was to stretch the limitations of the Iowa National Guard, requiring additional assistance from regional and federal organizations. This training exercise partnered the Iowa National Guard with local, state, and federal agencies, and the United States Northern Command.

The additional time we gained from last year's relatively-quiet combat, peacekeeping, and domestic operations has allowed our organization to refocus on organizational readiness, which drives everything we do.

I would like to share the results of these efforts with you.

First, your Iowa National Guard is a national leader in the "quality" of the Soldiers and Airmen that we recruit. We are in the top echelon of the National Guard for the quality of recruits into the National Guard for 2015.

More than 22% of our Basic Training, Advanced Individual Training, or technical school graduates are either honor or distinguished graduates, on the commandant's list, or in the top 10% at their respective military schools.

These efforts have not gone unnoticed by the U.S. Department of Defense and other military organizations; Iowa units and individuals received several significant awards for 2015:

The 132nd Communications Flight received the General Harold W. Grant Award for excellence in warfighting integration;

The 132nd Financial Management Office, led by Lt. Col. April Marmon, was recognized as the top Financial Management Office in the Air National Guard;

The 185th Force Support Squadron's Customer Service section was awarded the Department of Defense's RAPIDS site excellence award for exceeding the standards by adopting new processes that benefit customer service;



Staff Sergeant Randale E. Meyer, 133rd Test Squadron in Fort Dodge, Iowa, was selected as Air Battle Manager of the Year Non-Commissioned Officer for the Air National Guard;

Senior Master Sergeant Thomas Fennel, 185th Air Refueling Wing, Sioux City, received the field recognition award for Human Resource Advisors; and

Sergeant First Class Gene Tackett and Sergeant First Class Dan Aguirre received the regional Chief of Staff, Army, Supply Excellence Award.

We are humbled by these prestigious national awards presented for excellence across the organization.

As I come to a close, I hope I have left you confident that the Iowa National Guard is Mission-Focused and Warrior Ready.

We have executed every mission assigned, served our state and communities here at home, and deployed wherever needed in a moment's notice.

I am very proud of our Soldiers, Airmen, their families, our rich heritage, and our resolve as we continue our role in the preservation of the ideals upon which our nation and state were founded. The Iowa National Guard is woven into the fabric of our state through communities everywhere, ready and willing to transform from civilians to Guardsmen and women on a moment's notice.

Our nation will undoubtedly face significant domestic, global, and fiscal challenges in the future. The Iowa National Guard will strive to meet these challenges by providing our state and nation an accessible, responsive, capable, ready, and affordable force focused on our fundamental mission of Defending America—at home and abroad.

On behalf of our men and women and their families, thank you for this opportunity today to provide an update and assessment of the Iowa National Guard. Thank you. Warrior Ready!

Major General Tim Orr was escorted from the House chamber by the committee previously appointed.

Governor Terry E. Branstad was escorted from the House chamber by the committee previously appointed.

Representative Hagenow moved that the joint convention be dissolved, which motion prevailed by a voice vote.

Upon dissolution of the joint session, the Senate resumed session at 10:46 a.m., President Jochum presiding.

#### CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2035.

## Senate File 2035

On motion of Senator Mathis, **Senate File 2035**, a bill for an act relating to the reimbursement rate for juvenile shelter care homes and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2035), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## HOUSE AMENDMENT CONSIDERED

## Senate File 174

Senator Gronstal called up for consideration **Senate File 174**, a bill for an act establishing the state percent of growth, amended by the House in House amendment S-5001, filed January 26, 2016.

Senator Bowman moved that the Senate concur in the House amendment and requested a no vote.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment.

### HOUSE AMENDMENT CONSIDERED

#### Senate File 175

Senator Gronstal called up for consideration **Senate File 175**, a bill for an act establishing the categorical state percent of growth, amended by the House in House amendment S-5002, filed January 26, 2016.

Senator Bowman moved that the Senate concur in the House amendment and requested a no vote.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 175), the vote was:

Yeas, 23:

Anderson	Dix	Kraayenbrink	Sinclair
Behn	Feenstra	Rozenboom	Smith
Bertrand	Garrett	Schneider	Whitver
Breitbach	Guth	Schultz	Zaun
Chapman	Johnson	Segebart	Zumbach
Costello	Kapucian	Shipley	

Nays, 27:

Allen	Danielson	Horn	Ragan
Bisignano	Dearden	Jochum	Schoenjahn
Bolkcom	Dotzler	Kinney	Seng
Bowman	Dvorsky	Mathis	Sodders
Brase	Gronstal	McCoy	Taylor
Chelgren	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	

Absent, none.

The motion failed and the Senate **refused to concur** in the House amendment.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 174, 175, and 2035** be **immediately messaged** to the House.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:19 a.m. until 9:00 a.m., Thursday, January 28, 2016.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### ECONOMIC GROWTH

**Convened:** Tuesday, January 26, 2016, 2:05 p.m.

**Members Present:** Hart, Chair; Soddors, Vice Chair; Chelgren, Ranking Member; Anderson, Bowman, Breitbach, Danielson, Dotzler, Guth, Mathis, Schneider, Taylor, and Wilhelm.

**Members Absent:** Bisignano and Chapman (both excused).

**Committee Business:** Presentation on biochemicals with Debi Durham, Director of the Iowa Economic Development Authority; Scott Hedderich, Renewable Energy Group; Mark Merrit and John Krohn, KemX Global; and Dr. Brent Shanks from Iowa State University.

**Adjourned:** 3:05 p.m.

#### EDUCATION

**Convened:** Wednesday, January 27, 2016, 1:05 p.m.

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

**Members Absent:** None.

**Committee Business:** Fine Arts Advocacy Day.

**Adjourned:** 1:40 p.m.

#### LOCAL GOVERNMENT

**Convened:** Wednesday, January 27, 2016, 2:05 p.m.

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

**Members Absent:** None.

**Committee Business:** SIDCA presentation.

**Adjourned:** 2:25 p.m.

**ADMINISTRATION AND REGULATION APPROPRIATIONS  
SUBCOMMITTEE**

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

**Members Present:** Brase, Chair; Zumbach, Ranking Member; Allen, and Guth.

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

**Committee Business:** Organizational meeting.

**Adjourned:** 10:40 a.m.

**ALSO:**

**Convened:** Tuesday, January 19, 2016, 1:00 p.m.

**Members Present:** Brase, Chair; Danielson, Vice Chair; Allen, and Guth.

**Members Absent:** Zumbach, Ranking Member (excused).

**Committee Business:** Budget discussion.

**Adjourned:** 1:15 a.m.

**ALSO:**

**Convened:** Thursday, January 21, 2016, 10:00 a.m.

**Members Present:** Brase, Chair; Zumbach, Ranking Member; Allen, and Guth.

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

**Committee Business:** OCIO presentation.

**Adjourned:** 10:45 a.m.

**ALSO:**

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

**Members Present:** Brase, Chair; Danielson, Vice Chair; Zumbach, Ranking Member; Allen, and Guth.

**Members Absent:** None.

**Committee Business:** Department of Inspections and Appeals report.

**Adjourned:** 11:20 a.m.

## INTRODUCTION OF BILLS

**Senate File 2063**, by Danielson, a bill for an act creating the criminal offense of sexual exploitation by an attorney, including civil actions for sexual abuse or sexual exploitation by an attorney, and providing penalties.

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

**Senate File 2064**, by Sinclair, a bill for an act preventing executive branch administrative units from collecting additional fees from persons as a result of changing requirements for a professional license or the equivalent.

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

**Senate File 2065**, by Chapman, a bill for an act relating to the issuance of reduced-fee deer hunting licenses to certain landowners and tenants and their families.

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

**Senate File 2066**, by Johnson, a bill for an act relating to coaching endorsements and authorizations issued by the board of educational examiners and to certain emergency medical procedures training requirements, and including applicability provisions.

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

**Senate File 2067**, by Johnson and 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 2068**, by Johnson, a bill for an act repealing the beverage containers control program.

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

#### STUDY BILLS RECEIVED

#### **SSB 3062      Natural Resources**

Relating to turtle harvesting in the state and including effective date provisions.

#### **SSB 3063      State Government**

Relating to licensure of anesthesiologist assistants, providing for fees, and making penalties applicable.

#### **SSB 3064      Education**

Establishing the categorical state percent of growth for the school budget year beginning July 1, 2017.

#### **SSB 3065      Education**

Establishing the state percent of growth for the school budget year beginning July 1, 2017.

#### **SSB 3066      Human Resources**

Relating to the development and implementation of a public awareness campaign on Alzheimer's and other dementias, and providing an appropriation.

**SSB 3067 State Government**

Permitting the state registrar of voters to retain fees charged by the registrar for furnishing certain voter registration services and information, and including effective date provisions.

**SSB 3068 State Government**

Relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

**SSB 3069 Veterans Affairs**

Requiring that certain group health insurance coverage for veterans include treatment for military sexual trauma and suicidal tendencies, and including applicability date provisions.

**SSB 3070 Veterans Affairs**

Concerning eligibility for the home ownership assistance program for military members for the purchase of certain manufactured homes.

**SSB 3071 Labor and Business Relations**

Relating to wage discrimination under the Iowa civil rights Act of 1965, making penalties applicable, and establishing an equal pay task force.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 313**

LABOR AND BUSINESS RELATIONS: Brase, Chair; Bisignano and Costello

**Senate File 495**

TRANSPORTATION: Danielson, Chair; Brase and Feenstra

**Senate File 2014**

TRANSPORTATION: Quirmbach, Chair; Brase and Kapucian



**Senate File 2015**

TRANSPORTATION: Quirmbach, Chair; Dvorsky and Kraayenbrink

**Senate File 2024**

NATURAL RESOURCES AND ENVIRONMENT: Brase, Chair; Johnson and Petersen

**Senate File 2042**

TRANSPORTATION: Brase, Chair; Danielson and Smith

**Senate File 2050**

TRANSPORTATION: Brase, Chair; Breitbach and McCoy

**Senate File 2051**

HUMAN RESOURCES: Bolkcom, Chair; Johnson and Taylor

**Senate File 2055**

HUMAN RESOURCES: Dotzler, Chair; Bolkcom and Chelgren

**Senate File 2057**

HUMAN RESOURCES: Wilhelm, Chair; Allen and Chelgren

**House File 588**

TRANSPORTATION: Horn, Chair; Dearden and Smith

**House File 617**

TRANSPORTATION: Brase, Chair; Breitbach and McCoy

**SSB 3062**

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

**SSB 3063**

STATE GOVERNMENT: Horn, Chair; Chapman and Dearden

**SSB 3064**

EDUCATION: Quirmbach, Chair; Schoenjahn and Sinclair

**SSB 3065**

EDUCATION: Quirmbach, Chair; Schoenjahn and Sinclair

**SSB 3066**

HUMAN RESOURCES: Wilhelm, Chair; Garrett and Taylor

**SSB 3067**

STATE GOVERNMENT: Danielson, Chair; Bertrand and Dvorsky

**SSB 3068**

STATE GOVERNMENT: Schoenjahn, Chair; Horn and Whitver

**SSB 3069**

VETERANS AFFAIRS: Sodders, Chair; Allen and Segebart

**SSB 3070**

VETERANS AFFAIRS: Ragan, Chair; Horn and Rozenboom

**SSB 3071**

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

# JOURNAL OF THE SENATE

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EIGHTEENTH CALENDAR DAY  
TWELFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, January 28, 2016

The Senate met in regular session at 9:03 a.m., Senator Dvorsky presiding.

Prayer was offered by Pastor Terry Pollard of the New Sharon 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 Mitchell Sinclair.

The Journal of Wednesday, January 27, 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 27, 2016, **insisted** on its amendment to **Senate File 174**, a bill for an act establishing the state percent of growth, and the conference committee members on the part of the House are: the representative from Ringgold, Representative Dolecheck; the representative from Woodbury, Representative Jorgensen; the representative from Linn, Representative Stanerson; the representative from Clayton, Representative Ruff; the representative from Scott, Representative Winckler.

ALSO: That the House has on January 27, 2016, **insisted** on its amendment to **Senate File 175**, a bill for an act establishing the categorical state percent of growth, and the conference committee members on the part of the House are: the representative from Ringgold, Representative Dolecheck; the representative from Woodbury, Representative Jorgensen; the representative from Linn, Representative Stanerson; the representative from Clayton, Representative Ruff; the representative from Scott, Representative Winckler.

## APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the following conference committee on **Senate File 174** on the part of the Senate: Senators Bowman, Chair; Dvorsky, Kraayenbrink, Quirmbach, and Sinclair.

The Chair announced the following conference committee on **Senate File 175** on the part of the Senate: Senators Bowman, Chair; Dvorsky, Kraayenbrink, Quirmbach, and Sinclair.

## IMMEDIATELY MESSAGED

**Senate Files 174 and 175** were **immediately messaged** to the House.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:20 a.m. until 9:00 a.m., Friday, January 29, 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 EDUCATION

Additional Data Report, pursuant to Iowa Code section 260C.14. Report received on January 28, 2016.

#### DEPARTMENT OF JUSTICE

Attorney General's Annual Report of the Mortgage Servicing Settlement Fund, pursuant to 2012 Iowa Acts, HF 2465, section 7, chapter 4(a). Report received on January 27, 2016.

#### DEPARTMENT OF PUBLIC HEALTH

Gambling Treatment Program Report, pursuant to Iowa Code section 135.150(2). Report received on January 28, 2016.

## DEPARTMENT OF REVENUE

Iowa Capital Investment Board Annual Report, pursuant to Iowa Code section 15E.63(9). Report received on January 28, 2016.

## CERTIFICATE OF RECOGNITION

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

Lillian Nelson, Davenport—For celebrating her 100<sup>th</sup> birthday. Senator Smith.

## REPORTS OF COMMITTEE MEETINGS

## AGRICULTURE

**Convened:** Thursday, January 28, 2016, 12:00 p.m.

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

**Members Absent:** None.

**Committee Business:** Discussion.

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

## COMMERCE

**Convened:** Thursday, January 28, 2016, 1:00 p.m.

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

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

**Committee Business:** Presentation by Nick Gerhart, Iowa Insurance Commissioner.

**Adjourned:** 1:25 p.m.

## ECONOMIC GROWTH

**Convened:** Thursday, January 28, 2016, 2:05 p.m.

**Members Present:** Hart, Chair; Soddors, Vice Chair; Bisignano, Bowman, Breitbach, Dotzler, Guth, Mathis, Schneider, Taylor, and Wilhelm.

**Members Absent:** Chelgren, Ranking Member; Anderson, Chapman, and Danielson (all excused).

**Committee Business:** Presentation by Eric Engleman, Iowa Startup Accelerator.

**Adjourned:** 2:40 p.m.

#### HUMAN RESOURCES

**Convened:** Wednesday, January 27, 2016, 3:05 p.m.

**Members Present:** Mathis, Chair; Ragan, Vice Chair; Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm.

**Members Absent:** Johnson, Ranking Member; and Chelgren (both excused).

**Committee Business:** Presentation on the Ombudsman Alliance from Deanna Clingan-Fischer, State Long Term Care Ombudsman.

**Adjourned:** 4:00 p.m.

#### RULES AND ADMINISTRATION

**Convened:** Thursday, January 28, 2016, 9:20 a.m.

**Members Present:** Gronstal, Chair; Jochum, Vice Chair; Dix, Ranking Member; Courtney, Dearden, Dvorsky, Guth, Ragan, and Whitver.

**Members Absent:** Chapman and Sadders (both excused).

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

**Adjourned:** 9:35 a.m.

#### STATE GOVERNMENT

**Convened:** Wednesday, January 27, 2016, 2:05 p.m.

**Recessed:** 2:10 p.m.

**Reconvened:** 2:20 p.m.

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

**Members Absent:** None.

**Committee Business:** Deferred SF 508; approved SSB 3016; presentation by Paul Pate, Secretary of State.

**Adjourned:** 3:00 p.m.

#### TRANSPORTATION

**Convened:** Wednesday, January 27, 2016, 3:05 p.m.

**Members Present:** Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbach, Danielson, Horn, Kraayenbrink, Quirmbach, and Smith.

**Members Absent:** Dearden, Feenstra, and McCoy (all excused).

**Committee Business:** Presentation on Insurance Verification by Vice President Bart Blackstock of Insure-rite.

**Adjourned:** 3:55 p.m.

#### **VETERANS AFFAIRS**

**Convened:** Thursday, January 28, 2016, 11:35 a.m.

**Members Present:** Horn, Chair; Mathis, Vice Chair; Segebart, Ranking Member; Allen, Costello, Danielson, Hart, Ragan, Rozenboom, and Sodders.

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

**Committee Business:** Discussed SSB 3041. Presentations by Jim O'Keefe, NCAG President; and Troy Miller, MFA, Art Director with the University of Nebraska.

**Adjourned:** 11:50 a.m.

#### **ADMINISTRATION AND REGULATION APPROPRIATIONS SUBCOMMITTEE**

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

**Members Present:** Brase, Chair; Danielson, Vice Chair; Allen, and Guth.

**Members Absent:** Zumbach, Ranking Member (excused).

**Committee Business:** DAS and ODCP presentations.

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

#### **ECONOMIC DEVELOPMENT APPROPRIATIONS SUBCOMMITTEE**

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

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

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

**Committee Business:** Presentations on Governor's FY 2017 budget recommendations.

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

#### **EDUCATION APPROPRIATIONS SUBCOMMITTEE**

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

**Members Present:** Schoenjahn, Chair; Quirmbach, Vice Chair; Kraayenbrink, Ranking Member; Horn, and Sinclair.

**Members Absent:** None.

**Committee Business:** Presentation by Dr. Ryan Wise, Director of the Department of Education.

**Adjourned:** 10:30 a.m.

#### **HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE**

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

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

**Members Absent:** None.

**Committee Business:** MHDS Commission and County Mental Health Regions updates.

**Adjourned:** 11:35 a.m.

#### **INTRODUCTION OF BILLS**

**Senate File 2069**, by committee on State Government, a bill for an act requiring a demolition reserve on certain fire and casualty insurance claims on property located in the unincorporated area of a county.

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

**Senate File 2070**, by Dvorsky, a bill for an act relating to the confidentiality of juvenile court records in delinquency proceedings.

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

**Senate File 2071**, by Kinney, a bill for an act relating to the temporary delegation of parental rights by the parent or legal custodian of a child.

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

**Senate File 2072**, by Dvorsky, a bill for an act requiring certain group health insurance policies, contracts, or plans to provide coverage for autism spectrum disorders for certain persons, providing for a repeal, and including applicability and effective date provisions.

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



**Senate File 2073**, by committee on Veterans Affairs, a bill for an act relating to the department of public defense by providing for the gold star military museum and modifying funding provisions for the national guard education assistance program, and including effective and applicability date provisions.

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

#### STUDY BILLS RECEIVED

**SSB 3072      Human Resources**

Relating to public health including public health modernization and boards of health.

**SSB 3073      Human Resources**

Requiring immunization against meningococcal disease for certain students.

**SSB 3074      Appropriations**

Relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions.

**SSB 3075      State Government**

Relating to voter registration by providing for the registration of eligible electors upon review of electronic records received from driver's license and nonoperator's identification card applications, and including effective date provisions.

**SSB 3076      Judiciary**

Allowing the formation of certain for-profit corporations as benefit corporations authorized to do business in this state under certain conditions.

**SSB 3077      Judiciary**

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.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2056**

COMMERCE: Courtney, Chair; Allen and Sinclair

**Senate File 2064**

STATE GOVERNMENT: Horn, Chair; Courtney and Johnson

**Senate File 2065**

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

**Senate File 2066**

EDUCATION: Bowman, Chair; Kraayenbrink and Mathis

**Senate File 2068**

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

**SSB 3072**

HUMAN RESOURCES: Wilhelm, Chair; Segebart and Taylor

**SSB 3073**

HUMAN RESOURCES: Taylor, Chair; Allen and Chelgren

**SSB 3074**

APPROPRIATIONS: Dvorsky, Chair; Chapman, Danielson, Ragan and Segebart

**SSB 3075**

STATE GOVERNMENT: Danielson, Chair; Chapman and Horn

**SSB 3076**

JUDICIARY: Petersen, Chair; Quirnbach and Schneider

**SSB 3077**

JUDICIARY: Hogg, Chair; Garrett and Horn

## FINAL COMMITTEE REPORTS OF BILL ACTION

### STATE GOVERNMENT

**Bill Title:** SENATE FILE 2069 (SSB 3016), a bill for an act requiring a demolition reserve on certain fire and casualty insurance claims on property located in the unincorporated area of a county.

**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.

### VETERANS AFFAIRS

**Bill Title:** SENATE FILE 2073 (SSB 3041), a bill for an act relating to the department of public defense by providing for the gold star military museum and modifying funding provisions for the national guard education assistance program, and including effective and applicability date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Horn, Mathis, Segebart, Allen, Costello, Danielson, Ragan, Rozenboom, and Sodders. Nays, none. Absent, 2: Chelgren and Hart.

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

## APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

### BY THE GOVERNOR

### TERM

BANKING, SUPERINTENDENT OF (Sec. 524.201)

Ron Hansen, Durant

11/16/2015 – 04/30/2017

CIVIL RIGHTS COMMISSION, DIRECTOR OF THE IOWA STATE (Sec. 216.3)

Kristin Johnson, Clive

05/20/2015 – Pleasure of the Governor

EDUCATION, DIRECTOR OF THE DEPARTMENT OF (Sec. 256.8)

Dr. Ryan Wise, Des Moines

07/01/2015 – Pleasure of the Governor

LAW ENFORCEMENT ACADEMY, DIRECTOR OF (Sec. 80B.5)	
Judy Bradshaw, Urbandale	07/01/2015 – Pleasure of the Governor
COUNTY FINANCE COMMITTEE (Sec. 333A.2)	
David Farmer, Davenport	06/23/2015 – 04/30/2017
DEAF SERVICES, COMMISSION OF (Sec. 216A.113)	
Nathaniel Garrels, Emmetsburg	06/24/2015 – 04/30/2019
EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3)	
Kathy Behrens, Carroll	05/28/2015 – 04/30/2018
PLUMBING AND MECHANICAL SYSTEMS EXAMINING BOARD (Sec. 105.3)	
Donald Hansen, Des Moines	06/24/2015 – 04/30/2016
PUBLIC EMPLOYMENT RELATIONS BOARD (Sec. 20.5)	
Mary Gannon, Des Moines	01/04/2016 – 04/30/2016
TOBACCO USE PREVENTION AND CONTROL, COMMISSION ON (Sec. 142A.3)	
George Belitsos, Ames	12/08/2015 – 04/30/2017

The appointments were referred to the committee on **Rules and Administration**.

### REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on January 28, 2016:

#### COMMERCE

Ron Hansen – Superintendent of Banking

#### EDUCATION

Dr. Ryan Wise – Director of the Department of Education

Kathy Behrens – Board of Educational Examiners

#### HUMAN RESOURCES

George Belitsos – Commission on Tobacco Use Prevention and Control

**JUDICIARY**

Kristin Johnson – Director of the Iowa State Civil Rights Commission

Judy Bradshaw – Director of Law Enforcement Academy

**LABOR AND BUSINESS RELATIONS**

Donald Hansen – Plumbing and Mechanical Systems Examining Board

Mary Gannon – Public Employment Relations Board

**LOCAL GOVERNMENT**

David Farmer – County Finance Committee

**STATE GOVERNMENT**

Nathaniel Garrels – Commission of Deaf Services

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on January 28, 2016, to investigate the appointment and reappointment of the following appointees:

**COMMERCE**

As Superintendent of Banking:

Ron Hansen – Allen, Chair; Anderson and Sadders

**EDUCATION**

As Director of the Department of Education:

Dr. Ryan Wise – Quirnbach, Chair; Schoenjahn and Sinclair

As a member of the Board of Educational Examiners:

Kathy Behrens – Schoenjahn, Chair; Mathis and Schultz

**HUMAN RESOURCES**

As a member of the Commission on Tobacco Use Prevention and Control:

George Belitsos – Mathis, Chair; Jochum and Johnson

**JUDICIARY**

As Director of the Iowa State Civil Rights Commission:

Kristin Johnson – Quirnbach, Chair; Horn and Schneider

As Director of Law Enforcement Academy:

Judy Bradshaw – Petersen, Chair; Bisignano and Zaun

**LABOR AND BUSINESS RELATIONS**

As a member of the Plumbing and Mechanical Systems Examining Board:

Donald Hansen – Dearden, Chair; Bisignano and Shipley

As a member of the Public Employment Relations Board:

Mary Gannon – Courtney, Chair; Bisignano and Whitver

**LOCAL GOVERNMENT**

As a member of the County Finance Committee:

David Farmer – Brase, Chair; Quirnbach and Smith

**STATE GOVERNMENT**

As a member of the Commission of Deaf Services:

Nathaniel Garrels – Bowman, Chair; Dvorsky and Whitver

# JOURNAL OF THE SENATE

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NINETEENTH CALENDAR DAY  
THIRTEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, January 29, 2016

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

The Journal of Thursday, January 28, 2016, was approved.

## HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 28, 2016, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2092**, a bill for an act temporarily updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, and including effective date and retroactive applicability provisions.

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

## ADJOURNMENT

On motion of Senator Dotzler, the Senate adjourned at 9:01 a.m. until 1:00 p.m., Tuesday, February 2, 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 JUSTICE**

Mortgage Servicing Settlement Fund Report, pursuant to 2012 Iowa Acts, Chapter 1138, section 7. Report received on January 29, 2016.

**DEPARTMENT OF TRANSPORTATION**

Biodiesel and Biodiesel Blended Fuel Revolving Fund Report, pursuant to Iowa Code section 307.20(1). Report received on January 29, 2016.

FY 2015 Iowa Highway Research Board Annual Report, pursuant to Iowa Code section 310.36. Report received on January 29, 2016.

Midwest Regional Rail Passenger Initiative Report, pursuant to Iowa Code section 327J.3. Report received on January 29, 2016.

Passenger Rail Service Revolving Fund Report, pursuant to Iowa Code sections 327J.3(1) and 327J.3(3). Report received on January 29, 2016.

Recycling Report, pursuant to Iowa Code section 307.21(3). Report received on January 29, 2016.

Street Research Fund Report, pursuant to Iowa Code section 312.3A. Report received on January 29, 2016.

Linked Investments for Tomorrow Report, pursuant to Iowa Code section 12.38. Report received on January 29, 2016.



# JOURNAL OF THE SENATE

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TWENTY-THIRD CALENDAR DAY  
FOURTEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, February 2, 2016

The Senate met in regular session at 1:07 p.m., President Jochum presiding.

The Journal of Friday, January 29, 2016, was approved.

## ADJOURNMENT

On motion of Senator Mathis, the Senate adjourned at 1:08 p.m. until 9:00 a.m., Wednesday, February 3, 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 AGRICULTURE AND LAND STEWARDSHIP

Watershed Improvement Fund Annual Project 2015 Report, pursuant to Iowa Code section 466A.3. Report received on February 1, 2016.

Watershed Improvement Review Board Administration 2015 Report, pursuant to Iowa Code section 466A.3. Report received on February 1, 2016.

#### DEPARTMENT FOR THE BLIND

Recycling Report, pursuant to Iowa Code section 216B.3(12)(d). Report received on February 1, 2016.

## DEPARTMENT OF CORRECTIONS

Monthly Report Ending January 31, 2016, pursuant to Iowa Code section 904.116. Report received on February 2, 2016.

## DEPARTMENT OF HUMAN RIGHTS

Iowa Collaboration for Youth Development Council Annual Report, pursuant to Iowa Code section 216A.140(7)(g). Report received on February 2, 2016.

## DEPARTMENT OF HUMAN SERVICES

Environment First Fund (EFF)—Infrastructure Status Report, pursuant to Iowa Code section 8.57A(5). Report received on February 1, 2016.

Mental Health and Disabilities Services Annual Report, pursuant to Iowa Code section 225C.6(1)(h). Report received on February 1, 2016.

Rebuild Iowa Infrastructure Fund (RIIF)—Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on February 1, 2016.

Revenue Bonds Capitals (RBC) Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12.88(4). Report received on February 1, 2016.

Revenue Bonds Capitals II (RBC2) Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12.88A(4). Report received on February 1, 2016.

Technology Reinvestment Fund (TRF) Report—Infrastructure Status Report, pursuant to Iowa Code section 8.57C. Report received on February 1, 2016.

Tobacco Settlement Trust Fund Status Report—Infrastructure Status Report, pursuant to Iowa Code section 12E.12(9). Report received on February 1, 2016.

## IOWA FINANCE AUTHORITY

Rebuild Iowa Infrastructure Fund (RIIF)—Infrastructure Status Report, pursuant to Iowa Code section 8.57. Report received on February 1, 2016.

## OFFICE OF THE STATE LONG-TERM CARE OMBUDSMAN

Long-Term Care Ombudsman's Report, pursuant to Iowa Code section 231.42. Report received on February 1, 2016.

## BOARD OF REGENTS

Affirmative Action, Diversity and Multicultural Accomplishment, pursuant to Iowa Code section 19B.5. Report received on February 1, 2016.

Minority and Women Educators Enhancement Program Report, pursuant to Iowa Code section 262.82. Report received on February 1, 2016.

## DEPARTMENT OF TRANSPORTATION

Registered Flexible Fuel Vehicles Annual Report, pursuant to Iowa Code section 452A.33. Report received on February 2, 2016.

## CERTIFICATE OF RECOGNITION

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

Bernice Harris, Cedar Rapids—For celebrating her 100<sup>th</sup> birthday. Senator Horn.

## INTRODUCTION OF BILLS

**Senate File 2074**, by Danielson, a bill for an act relating to the operation of motor vehicles by persons without a valid driver's license or financial liability coverage, and providing penalties.

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

**Senate File 2075**, by Bolkom, a bill for an act relating to prescription authority for certain psychologists and making penalties applicable.

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

# **JOURNAL OF THE SENATE**

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TWENTY-FOURTH CALENDAR DAY  
FIFTEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, February 3, 2016

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

The Senate observed a moment of silence in remembrance of the Honorable Tom Hancock, former member of the Senate from Dubuque County, Epworth, Iowa.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Senate Page Sarah Thompson.

The Journal of Tuesday, February 2, 2016, was approved.

## **ADJOURNMENT**

On motion of Senator Gronstal, the Senate adjourned at 9:13 a.m. until 9:00 a.m., Thursday, February 4, 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 EDUCATION**

Condition of Iowa's Community College Report, pursuant to Iowa Code section 260C.14(21)(c). Report received on February 3, 2016.

#### **IOWA RACING AND GAMING COMMISSION**

2015 Annual Report, pursuant to Iowa Code section 99D.21. Report received on February 2, 2016.

## REPORTS OF COMMITTEE MEETINGS

### EDUCATION

**Convened:** Wednesday, February 3, 2016, 1:05 p.m.

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

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

**Committee Business:** Summer School Rules/Curriculum presentation.

**Adjourned:** 2:00 p.m.

### HUMAN RESOURCES

**Convened:** Wednesday, February 3, 2016, 3:05 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:** Approved SSB 3003; SSB 3004, as amended; and SF 2046.

**Adjourned:** 3:35 p.m.

### TRANSPORTATION

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

**Members Present:** Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbach, Danielson, Feenstra, Horn, Kraayenbrink, McCoy, Quirnbach, and Smith.

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

**Committee Business:** Insurance presentations by Alex Hageli of Property Casualty Insurers of America and Jay Starling of Alabama.

**Adjourned:** 4:00 p.m.

### ADMINISTRATION AND REGULATION APPROPRIATIONS SUBCOMMITTEE

**Convened:** Wednesday, February 3, 2016, 10:00 a.m.

**Members Present:** Brase, Chair; Danielson, Vice Chair; Zumbach, Ranking Member; and Guth.

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

**Committee Business:** Auditor and Banking Reports presented.

**Adjourned:** 11:05 a.m.

#### **ECONOMIC DEVELOPMENT APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Wednesday, February 3, 2016, 10:05 a.m.

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

**Members Absent:** Bisignano and Smith (both excused).

**Committee Business:** ISU presentations.

**Adjourned:** 11:20 a.m.

#### **EDUCATION APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Wednesday, February 3, 2016, 10:05 a.m.

**Members Present:** Schoenjahn, Chair; Quirmbach, Vice Chair; Kraayenbrink, Ranking Member; Horn, and Sinclair.

**Members Absent:** None.

**Committee Business:** Presentations by Iowa Western Community College President Dan Kinney; Fred Lisle, President of Lisle Corporation; and Jay Miller, Vice President of Marketing with Workiva.

**Adjourned:** 10:40 a.m.

#### **HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Wednesday, February 3, 2016, 10:00 a.m.

**Members Present:** Ragan, Chair; Bolcom, Vice Chair; Segebart, Ranking Member; Dvorsky, and Johnson.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 11:10 a.m.

#### **JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Wednesday, February 3, 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 BILLS

**Senate File 2076**, by Dotzler, a bill for an act relating to the overtaking and passing of bicyclists by motor vehicles, and applying existing penalties.

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

**Senate File 2077**, by Danielson, a bill for an act requiring that human growth and development instruction by school boards include age-appropriate information regarding dating violence and prevention.

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

**Senate File 2078**, by Danielson, a bill for an act relating to and providing insurance coverage for medication synchronization.

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

**Senate File 2079**, by Danielson, a bill for an act relating to the dispensing of additional quantities of a prescription within the limitations of the prescription.

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

**Senate File 2080**, by Chelgren, Behn, and Zaun, a bill for an act providing for an ongoing review of the Iowa Code by standing committees of the general assembly.

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

**Senate File 2081**, by Chelgren, a bill for an act relating to a prohibition on certain collaborations with Stanford university and including effective date provisions.

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

**Senate File 2082**, by Kinney, 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 referred to committee on **Judiciary**.

**Senate File 2083**, by Kinney, 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 referred to committee on **Judiciary**.

**Senate File 2084**, by Dotzler, a bill for an act relating to the sources of goods or services under a franchise agreement.

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

**Senate File 2085**, by Dotzler, a bill for an act related to the Iowa cultural trust fund and board of trustees by requiring the board to spend down the balance of the trust fund and by subsequently eliminating the trust fund, related accounts, and the board, and including effective date provisions.

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

**Senate File 2086**, by Feenstra, a bill for an act exempting certain amounts of retirement income from the computation of the individual income tax and including retroactive applicability provisions.

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



**Senate File 2087**, by McCoy, a bill for an act establishing a criminal penalty for violent repeat offenders and reducing earned time for offenders required to participate in batterers' education under certain circumstances.

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

**Senate File 2088**, by McCoy, a bill for an act relating to a name change for a child.

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

**Senate File 2089**, by McCoy, a bill for an act requiring electronic monitoring for certain bailable defendants who commit domestic abuse or violate no-contact or protective orders.

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

**Senate File 2090**, by Quirnbach, a bill for an act requiring the lottery authority board to commission a study on the socioeconomic impacts of gambling on lottery games and making certain records accessible for purposes of the study.

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

**Senate File 2091**, by Hogg, a bill for an act relating to disclosure of ownership and control information for nonprofit corporations under the Medicaid program.

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

**Senate File 2092**, by committee on Education, a bill for an act establishing the categorical state percent of growth for the school budget year beginning July 1, 2017.

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

**Senate File 2093**, by committee on Education, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 2017.

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

#### STUDY BILLS RECEIVED

#### **SSB 3078      Transportation**

Relating to the activities of motor vehicle dealers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the furnishing of surety bonds, and the assessment of documentary fees, and making a penalty applicable.

#### **SSB 3079      Agriculture**

Requiring that agreements to terminate farm tenancies be in writing.

#### **SSB 3080      Ways and Means**

Increasing the amount of tax credits that may be claimed annually for the solar energy system tax credits and including effective date and applicability provisions.

#### **SSB 3081      Human Resources**

Relating to the termination of Medicaid managed care contracts, and including effective date provisions.

#### **SSB 3082      Commerce**

Relating to the prescribing and dispensing of self-administered oral hormonal contraceptives including by pharmacists and providing insurance coverage for such contraceptives prescribed and dispensed.

#### **SSB 3083      Veterans Affairs**

Relating to the issuance of driver's licenses marked to reflect veteran status.

**SSB 3084      Veterans Affairs**

Concerning veterans preference information.

**SSB 3085      Veterans Affairs**

Establishing a veterans treatment court in each judicial district.

**SSB 3086      State Government**

Relating to the filing of amendments to campaign finance disclosure reports and requiring notification be provided following such a filing.

**SSB 3087      State Government**

Concerning investment of certain public funds in and public contracts with companies that boycott Israel.

**SSB 3088      State Government**

Relating to the confidentiality of certain law enforcement record information.

**SSB 3089      State Government**

Relating to the accessibility and dissemination of certain public meeting and public records information.

**SSB 3090      State Government**

Relating to the practice of optometry.

**SSB 3091      Education**

Concerning instruction provided through the Iowa learning online initiative.

**SUBCOMMITTEE ASSIGNMENTS**

**Senate File 502**  
(Reassigned)

COMMERCE: McCoy, Chair; Bertrand and Bolkcom

**Senate File 2052**

ECONOMIC GROWTH: Wilhelm, Chair; Breitbach and Sadders

**Senate File 2054**

WAYS AND MEANS: Quirnbach, Chair; Bolkcom and Breitbach

**Senate File 2067**

WAYS AND MEANS: Quirnbach, Chair; Bolkcom and Breitbach

**Senate File 2072**

COMMERCE: Schoenjahn, Chair; Courtney and Sinclair

**Senate File 2075**

HUMAN RESOURCES: Bolkcom, Chair; Allen and Costello

**Senate File 2077**

EDUCATION: Mathis, Chair; Dvorsky and Kraayenbrink

**Senate File 2078**

COMMERCE: Sadders, Chair; Courtney and Zumbach

**House File 2092**

WAYS AND MEANS: Bolkcom, Chair; Dotzler and Feenstra

**SSB 3047**  
(Reassigned)

EDUCATION: Schoenjahn, Chair; Bowman and Sinclair

**SSB 3078**

TRANSPORTATION: Bowman, Chair; Danielson and Smith

**SSB 3079**

AGRICULTURE: Hart, Chair; Kinney and Shipley

**SSB 3080**

WAYS AND MEANS: Hogg, Chair; Bolkcom and Feenstra

**SSB 3081**

HUMAN RESOURCES: Jochum, Chair; Johnson and Wilhelm

**SSB 3082**

COMMERCE: Petersen, Chair; McCoy and Smith

**SSB 3083**

VETERANS AFFAIRS: Horn, Chair; Danielson and Segebart

**SSB 3084**

VETERANS AFFAIRS: Danielson, Chair; Costello and Sodders

**SSB 3085**

VETERANS AFFAIRS: Danielson, Chair; Chelgren and Hart

**SSB 3086**

STATE GOVERNMENT: Danielson, Chair; Courtney and Schultz

**SSB 3087**

STATE GOVERNMENT: Danielson, Chair; Horn and Johnson

**SSB 3088**

STATE GOVERNMENT: Dvorsky, Chair; Dearden and Schultz

**SSB 3089**

STATE GOVERNMENT: Danielson, Chair; Johnson and Schoenjahn

**SSB 3090**

STATE GOVERNMENT: Danielson, Chair; Schoenjahn and Schultz

**SSB 3091**

EDUCATION: Wilhelm, Chair; Hart and Schultz

**FINAL COMMITTEE REPORTS OF BILL ACTION**

**EDUCATION**

**Bill Title:** SENATE FILE 2092 (SSB 3064), a bill for an act establishing the categorical state percent of growth for the school budget year beginning July 1, 2017.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Quirmbach, Schoenjahn, Bowman, Dvorsky, Hart, Hogg, Kinney, Mathis, and Wilhelm. Nays, 5: Sinclair, Behn, Johnson, Kraayenbrink, and Schultz. Absent, 1: Zaun.

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

**ALSO:**

**Bill Title:** SENATE FILE 2093 (SSB 3065), a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 2017.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Quirmbach, Schoenjahn, Bowman, Dvorsky, Hart, Hogg, Kinney, Mathis, and Wilhelm. Nays, 5: Sinclair, Behn, Johnson, Kraayenbrink, and Schultz. Absent, 1: Zaun.

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

# **JOURNAL OF THE SENATE**

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TWENTY-FIFTH CALENDAR DAY  
SIXTEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, February 4, 2016

The Senate met in regular session at 9:05 a.m., President Jochum presiding.

Prayer was offered by Pastor Stan Johnson of the Evangelical Free Church in Britt, Iowa. He was the guest of Senator Guth.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Senate Page Hannah Dettmann.

The Journal of Wednesday, February 3, 2016, was approved.

## **ADJOURNMENT**

On motion of Senator Gronstal, the Senate adjourned at 9:14 a.m. until 1:00 p.m., Monday, February 8, 2016.

## **APPENDIX**

### **COMMUNICATION RECEIVED**

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### **AUDITOR OF STATE**

Report of Recommendations to the Iowa Department of Human Services, pursuant to Iowa Code section 11.4. Report received on February 4, 2016.

## REPORTS OF COMMITTEE MEETINGS

## APPROPRIATIONS

**Convened:** Wednesday, February 3, 2016, 4:10 p.m.

**Members Present:** Dvorsky, Chair; Danielson, Vice Chair; Chapman, Ranking Member; Bisignano, Bolkcom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, and Wilhelm.

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

**Committee Business:** Approved SSB 3074.

**Adjourned:** 4:30 p.m.

## JUDICIARY

**Convened:** Thursday, February 4, 2016, 11:30 a.m.

**Recessed:** 11:35 a.m.

**Reconvened:** 11:45 a.m.

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

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

**Committee Business:** Approved SSBs 3007, 3009, 3025, and 3035.

**Adjourned:** 11:55 a.m.

## STATE GOVERNMENT

**Convened:** Wednesday, February 3, 2016, 2:05 p.m.

**Recessed:** 2:10 pm.

**Reconvened:** 2:35 p.m.

**Recessed:** 3:05 pm.

**Reconvened:** 4:35 p.m.

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

**Members Absent:** None.

**Committee Business:** Passed SF 508.

**Adjourned:** 4:50 pm.



**ADMINISTRATION AND REGULATION APPROPRIATIONS  
SUBCOMMITTEE**

**Convened:** Thursday, February 4, 2016, 10:05 a.m.

**Members Present:** Brase, Chair; Danielson, Vice Chair; Zumbach, Ranking Member; Allen, and Guth.

**Members Absent:** None.

**Committee Business:** Iowa Lottery and Iowa Secretary of State presentations.

**Adjourned:** 11:25 a.m.

**ECONOMIC DEVELOPMENT APPROPRIATIONS SUBCOMMITTEE**

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

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

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

**Committee Business:** University of Northern Iowa presentation.

**Adjourned:** 11:20 a.m.

**EDUCATION APPROPRIATIONS SUBCOMMITTEE**

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

**Members Present:** Schoenjahn, Chair; Quirnbach, Vice Chair; Kraayenbrink, Ranking Member; Horn, and Sinclair.

**Members Absent:** None.

**Committee Business:** Presentation on Iowa College Student Aid Commission by Karen Misjak, Executive Director; and Julie Leeper, Executive Officer.

**Adjourned:** 10:30 a.m.

**HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE**

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

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

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 11:30 a.m.

## INTRODUCTION OF BILLS

**Senate File 2094**, by Jochum, a bill for an act relating to topsoil preservation requirements for certain residential construction sites, and making penalties applicable.

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

**Senate File 2095**, by Petersen, a bill for an act relating to a teacher licensing requirement involving training to recognize and report incidents of human trafficking.

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

**Senate File 2096**, by Wilhelm, a bill for an act including emergency medicine as an eligible practice specialty under the rural Iowa primary care loan repayment program.

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

**Senate File 2097**, by Petersen, a bill for an act providing for employment leave for prenatal appointments and providing penalties.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

**Senate File 2098**, by Petersen and Brase, a bill for an act requiring employers to provide reasonable accommodations to employees based on pregnancy, childbirth, and related medical conditions and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

**Senate File 2099**, by Petersen, a bill for an act relating to voter registration by providing for the registration of eligible electors upon review of electronic records received from driver's license and nonoperator's identification card applications, and including effective date provisions.

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

**Senate File 2100**, by Petersen, a bill for an act providing for participation in the Iowa educational savings plan trust by nonprofit organizations.

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

**Senate File 2101**, by committee on Human Resources, a bill for an act appropriating funds for a supported employment provider rate increase, and including effective date and retroactive applicability provisions.

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

**Senate File 2102**, by committee on Human Resources, a bill for an act relating to access to the information program for drug prescribing and dispensing administered by the board of pharmacy.

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

**Senate File 2103**, by Sinclair, a bill for an act providing for alternative teacher licensure of individuals with relevant professional employment experience.

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

**Senate File 2104**, by Sinclair, Schultz, Segebart, Costello, Johnson, Behn, Kraayenbrink, Shipley, Dix, Guth, Kapucian, Breitbach, Rozenboom, Smith, Zumbach, Garrett, Anderson, and Chelgren, a bill for an act relating to school district finance by modifying provisions relating to the calculation of the regular program state cost per pupil and the regular program district cost per pupil, and by establishing a supplementary weighting plan for certain mandatory school district transportation costs.

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

**Senate File 2105**, by Feenstra, a bill for an act requiring certain city utility boards to submit specified advance payment requests for city council approval.

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

**Senate File 2106**, by Chelgren, a bill for an act requiring notice of topsoil removal in real estate disclosure statements and making penalties applicable.

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

**Senate File 2107**, by Ragan, Mathis, and Bolkcom, a bill for an act relating to Medicaid program improvement, and including effective date and retroactive applicability provisions.

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

**Senate File 2108**, by Smith, a bill for an act relating to registration fees established and collected by the county treasurer at a tax sale and including effective date and applicability provisions.

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

**Senate File 2109**, by committee on Appropriations, a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions.

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

**Senate File 2110**, by committee on Judiciary, a bill for an act relating to persons examining and obtaining their own criminal history data.

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

**Senate File 2111**, by committee on Judiciary, a bill for an act providing that certain peace officers and law enforcement officials are not required to use a notarial stamp when administering oaths or acknowledging signatures.

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

### STUDY BILLS RECEIVED

#### **SSB 3092      Education**

Establishing a state seal of biliteracy program to be administered by the department of education.

#### **SSB 3093      Commerce**

Relating to the right of a health care provider to choose whether to participate in a health insurance plan or a provider network arrangement, and including penalties and effective date and applicability date provisions.

#### **SSB 3094      Economic Growth**

Relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, making appropriations, and including transition provisions.

#### **SSB 3095      Economic Growth**

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.

#### **SSB 3096      Education**

Relating to the duties and authority of the state board of education, the department of education, and local school districts and to the programs and activities under the purview of the state board and the department.

**SSB 3097      Education**

Providing for computer programming and applications and coding instruction in the minimum state education curriculum and providing for a related computer programming and applications advisory council to be convened by the director of the department of education and including applicability provisions.

**SSB 3098      Commerce**

Relating to transparency in health insurer payment transactions with health care providers and including applicability provisions.

**SSB 3099      Commerce**

Including certain sanitary sewage or storm water drainage disposal system providers under public utility regulation.

**SSB 3100      Judiciary**

Relating to clerks of court, including the collection of court debt, the filing of medical reports, and the indexing of notices of lis pendens by county recorders, out-of-state-witness mileage expenses, and including effective date and applicability provisions.

**SSB 3101      Judiciary**

Providing for the restoration of the right to register to vote and to vote and hold elective office for certain persons and including effective date provisions.

**SSB 3102      Judiciary**

Relating to the standard for judicial review of agency action in a contested case and including applicability provisions.

**SSB 3103      Judiciary**

Relating to guardians ad litem, attorneys for minor children, child custody investigators, and child and family reporters involved in child custody and visitation proceedings.

**SSB 3104      Judiciary**

Establishing a criminal penalty for violent repeat offenders and reducing earned time for offenders required to participate in batterers' education under certain circumstances.

**SSB 3105      Human Resources**

Relating to a patient's designation and authorization of a person to whom the patient's health care information may be disclosed.

**SSB 3106      Appropriations**

Creating a statewide land mobile radio communications system fund, making an appropriation, and including effective date provisions.

**SSB 3107      Ways and Means**

Relating to administration of the tax and related laws by the department of revenue, including updating Code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions and the expensing of certain depreciable business assets, requiring background checks for job applicants and persons performing work for the department of revenue, and including effective date and retroactive applicability provisions.

**SSB 3108      Human Resources**

Providing for the licensure of clinical art therapists, making penalties applicable, providing for fees, and including effective date and implementation provisions.

**SSB 3109      Human Resources**

Relating to children's mental health and well-being and making an appropriation.

**SSB 3110      Transportation**

Relating to matters under the purview of the department of transportation, and making penalties applicable.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 314**

LABOR AND BUSINESS RELATIONS: Bisignano, Chair; Dearden and Shipley

**Senate File 398**

LABOR AND BUSINESS RELATIONS: Dotzler, Chair; Bertrand and Courtney

**Senate File 2054**  
(Reassigned)

WAYS AND MEANS: Bolkcom, Chair; Breitbach and Dotzler

**Senate File 2063**

JUDICIARY: Hogg, Chair; Garrett and Soddors

**Senate File 2067**  
(Reassigned)

WAYS AND MEANS: Bolkcom, Chair; Breitbach and Dotzler

**Senate File 2070**

JUDICIARY: Petersen, Chair; Kinney and Schneider

**Senate File 2071**

JUDICIARY: Kinney, Chair; Hogg and Zaun

**Senate File 2079**

HUMAN RESOURCES: Bolkcom, Chair; Dotzler and Johnson

**Senate File 2091**

HUMAN RESOURCES: Taylor, Chair; Ragan and Segebart

**Senate File 2094**

NATURAL RESOURCES AND ENVIRONMENT: Kinney, Chair; Schoenjahn and Zumbach



**Senate File 2095**

EDUCATION: Hart, Chair; Johnson and Kinney

**Senate File 2096**

HUMAN RESOURCES: Wilhelm, Chair; Costello and Dotzler

**Senate File 2097**

LABOR AND BUSINESS RELATIONS: Bisignano, Chair; Bertrand and Brase

**Senate File 2107**

HUMAN RESOURCES: Ragan, Chair; Bolkcom, Johnson, Mathis and Segebart

**SSB 3092**

EDUCATION: Kinney, Chair; Hogg and Johnson

**SSB 3093**

COMMERCE: Bolkcom, Chair; Schoenjahn and Sinclair

**SSB 3094**

ECONOMIC GROWTH: Dotzler, Chair; Anderson and Bowman

**SSB 3095**

ECONOMIC GROWTH: Taylor, Chair; Bisignano and Guth

**SSB 3096**

EDUCATION: Wilhelm, Chair; Behn and Hogg

**SSB 3097**

EDUCATION: Quirnbach, Chair; Hogg and Schultz

**SSB 3098**

COMMERCE: Schoenjahn, Chair; Allen and Smith

**SSB 3099**

COMMERCE: Courtney, Chair; Anderson and McCoy

**SSB 3100**

JUDICIARY: Sadders, Chair; Bisignano and Whitver

**SSB 3101**

JUDICIARY: Bisignano, Chair; Quirmbach and Schneider

**SSB 3102**

JUDICIARY: Hogg, Chair; Bisignano and Whitver

**SSB 3103**

JUDICIARY: Petersen, Chair; Garrett and Horn

**SSB 3104**

JUDICIARY: Sodders, Chair; Petersen and Schneider

**SSB 3105**

HUMAN RESOURCES: Taylor, Chair; Allen and Garrett

**SSB 3106**

APPROPRIATIONS: Danielson, Chair; Chapman and Dvorsky

**SSB 3107**

WAYS AND MEANS: Jochum, Chair; Bolkcom and Feenstra

**SSB 3108**

HUMAN RESOURCES: Dotzler, Chair; Chelgren and Taylor

**SSB 3109**

HUMAN RESOURCES: Mathis, Chair; Ragan and Segebart

**SSB 3110**

TRANSPORTATION: Bowman, Chair; Danielson and Kapucian

**FINAL COMMITTEE REPORTS OF BILL ACTION****APPROPRIATIONS**

**Bill Title:** \*SENATE FILE 2109 (SSB 3074), a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, 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, 7: Chapman, Garrett, Kapucian, Kraayenbrink, Rozenboom, Schneider, and Segebart. Absent, 1: Zumbach.

**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 2109, and they were attached to the committee report.

## HUMAN RESOURCES

**Bill Title:** SENATE FILE 2101 (formerly SF 2046), a bill for an act appropriating funds for a supported employment provider rate increase, and including effective date and retroactive applicability 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.

## ALSO:

**Bill Title:** SENATE FILE 2102 (SSB 3003), a bill for an act relating to access to the information program for drug prescribing and dispensing administered by the board of pharmacy.

**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.

## JUDICIARY

**Bill Title:** SENATE FILE 2110 (SSB 3025), a bill for an act relating to persons examining and obtaining their own criminal history data.

**Recommendation:** APPROVED COMMITTEE BILL.

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

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

**ALSO:**

**Bill Title:** SENATE FILE 2111 (SSB 3009), a bill for an act providing that certain peace officers and law enforcement officials are not required to use a notarial stamp when administering oaths or acknowledging signatures.

**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.

# JOURNAL OF THE SENATE

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TWENTY-NINTH CALENDAR DAY  
SEVENTEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, February 8, 2016

The Senate met in regular session at 1:05 p.m., President Jochum presiding.

Prayer was offered by the Honorable Ken Rozenboom, member of the Senate from Mahaska County, Oskaloosa, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Philip Kiely

The Journal of Thursday, February 4, 2016, was approved.

## ADJOURNMENT

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

Virtual Schools in Iowa Annual Report, pursuant to Iowa Code section 256.7. Report received on February 5, 2016.

#### DEPARTMENT OF REVENUE

Central Collections Unit Quarterly Debt Collection Report, pursuant to Iowa Code section 421.17. Report received on February 5, 2016.

## REPORTS OF COMMITTEE MEETINGS

## EDUCATION

**Convened:** Monday, February 8, 2016, 1:05 p.m.

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

**Members Absent:** None.

**Committee Business:** Presentations.

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

## TRANSPORTATION

**Convened:** Monday, February 8, 2016, 2:40 p.m.

**Members Present:** Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbach, Danielson, Feenstra, Horn, Kraayenbrink, McCoy, and Smith.

**Members Absent:** Dearden and Quirmbach (both excused).

**Committee Business:** Presentation.

**Adjourned:** 3:30 p.m.

## INTRODUCTION OF BILLS

**Senate File 2112**, by committee on Judiciary, a bill for an act relating to a fiduciary's access to digital assets and including applicability provisions.

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

**Senate File 2113**, by committee on State Government, a bill for an act relating to the possession, sale, transfer, purchase, and use of fireworks, providing penalties, and including effective date provisions.

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

**Senate File 2114**, by Johnson, a bill for an act prohibiting all human cloning and providing penalties.

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

**Senate File 2115**, by committee on Judiciary, a bill for an act creating the criminal offense of interference with official acts against a jailer, and providing penalties.

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

**Senate File 2116**, by committee on Human Resources, a bill for an act adding substances to schedule I of the controlled substance schedules, and providing penalties.

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

**Senate File 2117**, by Ragan, a bill for an act relating to creation of transfer on death deeds and to disclaimers of an interest in real property, and including applicability provisions.

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

**Senate File 2118**, by Rozenboom, a bill for an act relating to special minor's driver's licenses issued for travel to and from private instruction, and making penalties applicable.

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

**Senate File 2119**, by Johnson, a bill for an act relating to a transfer of funding for a time certain among the athletic programs at the institutions of higher learning under the control of the state board of regents.

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

**Senate File 2120**, by McCoy, a bill for an act modifying the elements defining hate crimes, and providing penalties.

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

**Senate File 2121**, by Bolkcom, a bill for an act requiring the Iowa utilities board to develop and maintain an energy information database and including effective date provisions.

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

**Senate File 2122**, by Zaun, a bill for an act relating to nursing facility security deposits.

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

**Senate File 2123**, by Johnson, a bill for an act authorizing the executive director of the board of educational examiners to waive subject assessment requirements for teacher licensure.

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

**Senate File 2124**, by Johnson, a bill for an act relating to contractual relationships between licensed athletic trainers and school districts and accredited nonpublic schools and including effective date and applicability provisions.

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

**Senate File 2125**, by Human Resources, a bill for an act relating to the termination of Medicaid managed care contracts, and including effective date provisions.

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



## STUDY BILLS RECEIVED

**SSB 3111      Judiciary**

A study bill for an act relating to nonsubstantive Code corrections.

**SSB 3112      Human Resources**

A study bill for an act relating to dementia-specific training, competency evaluations, and continuing education for certain persons providing dementia care and related services.

**SSB 3113      Human Resources**

A study bill for an act relating to the membership of the medical assistance advisory council and executive committee.

**SSB 3114      Human Resources**

A study bill for an act concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims.

**SSB 3115      Ways and Means**

A study bill for an act establishing the facilitating business rapid response to state-declared disasters Act, and including effective date provisions.

## SUBCOMMITTEE ASSIGNMENTS

**Senate File 2076**

TRANSPORTATION: McCoy, Chair; Kraayenbrink and Quirmbach

**Senate File 2080**

STATE GOVERNMENT: Dvorsky, Chair; Dearden and Johnson

**Senate File 2086**

WAYS AND MEANS: Quirmbach, Chair; Feenstra and Petersen

**Senate File 2090**

STATE GOVERNMENT: Danielson, Chair; Courtney and Schultz

**Senate File 2098**

LABOR AND BUSINESS RELATIONS: Brase, Chair; Bisignano and Costello

**Senate File 2099**

STATE GOVERNMENT: Danielson, Chair; Chapman and Horn

**Senate File 2103**

EDUCATION: Schoenjahn, Chair; Dvorsky and Sinclair

**Senate File 2104**

EDUCATION: Quirmbach, Chair; Dvorsky and Sinclair

**Senate File 2108**

WAY AND MEANS: Quirmbach, Chair; Allen and Smith

**SSB 3111**

JUDICIARY: Shipley, Chair; Bisignano and Kinney

**SSB 3112**

HUMAN RESOURCES: Wilhelm, Chair; Jochum and Segebart

**SSB 3113**

HUMAN RESOURCES: Ragan, Chair; Costello and Wilhelm

**SSB 3114**

HUMAN RESOURCES: Mathis, Chair; Ragan and Segebart

**SSB 3115**

WAYS AND MEANS: Petersen, Chair; Allen and Breitbach

**FINAL COMMITTEE REPORTS OF BILL ACTION****HUMAN RESOURCES**

**Bill Title:** \*Senate File 2116 (SSB 3004), a bill for an act adding substances to schedule I of the controlled substance schedules, and providing penalties.

**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 2116, and they were attached to the committee report.

**ALSO:**

**Bill Title:** Senate File 2125 (SSB 3081), a bill for an act relating to the termination of Medicaid managed care contracts, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

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

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

**JUDICIARY**

**Bill Title:** \*Senate File 2112 (SSB 3035), a bill for an act relating to a fiduciary's access to digital assets and including applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirmbach, 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 2112, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*Senate File 2115 (SSB 3007), a bill for an act creating the criminal offense of interference with official acts against a jailer, and providing penalties.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirmbach, 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 2115, and they were attached to the committee report.

#### **STATE GOVERNMENT**

**Bill Title:** \*Senate File 2113 (formerly SF 508), a bill for an act relating to the possession, sale, transfer, purchase, and use of fireworks, providing penalties, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Danielson, Courtney, Bertrand, Bowman, Chapman, Feenstra, Horn, Schoenjahn, Schultz, and Whitver. Nays, 5: Dearden, Dvorsky, Johnson, McCoy, and Petersen. 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 2113, and they were attached to the committee report.

# JOURNAL OF THE SENATE

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THIRTIETH CALENDAR DAY  
EIGHTEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, February 9, 2016

The Senate met in regular session at 9:01 a.m., President Pro Tempore Sodders presiding.

Prayer was offered by Reverend Lindsay James, pastor of the Westminster Presbyterian Church in Dubuque, Iowa. She was the guest of Senators Jochum and Bowman.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Lindsay Larkin.

The Journal of Monday, February 8, 2016, was approved.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 9:09 a.m. until 11:30 a.m.

## RECONVENED

The Senate reconvened at 11:34 a.m., President Pro Tempore Sodders presiding.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2093 and 2092.

### Senate File 2093

On motion of Senator Quirmbach, **Senate File 2093**, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 2017, was taken up for consideration.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2093), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Nays, 24:

Anderson	Costello	Kapucian	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2092

On motion of Senator Quirmbach, **Senate File 2092**, a bill for an act establishing the categorical state percent of growth for the school budget year beginning July 1, 2017, was taken up for consideration.

Senator Zaun offered amendment S-5003, filed by Senator Zaun, et al., from the floor to page 1 and amending the title page of the bill.

Senator Quirmbach raised the point of order that amendment S-5003 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5003 out of order.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2092), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Nays, 24:

Anderson	Costello	Kapucian	Shipley
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2092 and 2093** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 12:15 p.m. until 9:00 a.m., Wednesday, February 10, 2016.

## APPENDIX

### COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### WORLD FOOD PRIZE FOUNDATION

Annual Report, pursuant to 2007 Iowa Acts, Chapter 212, section 3. Report received on February 9, 2016.

### CERTIFICATE OF RECOGNITION

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

Dave and Angie Burmahl Family—For achieving the 2016 Gary Wergin Good Farm Neighbor Award. Senator Bowman.

### REPORTS OF COMMITTEE MEETINGS

#### COMMERCE

**Convened:** Tuesday, February 9, 2016, 2:05 p.m.

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

**Members Absent:** None.

**Committee Business:** Clean Energy Plan presentation by DNR.

**Adjourned:** 2:40 p.m.

#### ECONOMIC GROWTH

**Convened:** Tuesday, February 9, 2016, 1:00 p.m.

**Members Present:** Hart, Chair; Soddors, Vice Chair; Chelgren, Ranking Member; Anderson, Bisignano, Bowman, Breitbach, Chapman, Danielson, Dotzler, Guth, Mathis, Schneider, Taylor, and Wilhelm.

**Members Absent:** None.



**Committee Business:** Passed SSB 3050. Presentation on Iowa Wind Power and Solar Energy Supply Chain Businesses by Nathaniel Baer, Iowa Environmental Council, Energy Program Director; Josh Mandelbaum, Environmental Law and Policy Center, Staff Attorney; and Brad Duggan, Van Meter Inc., Renewable Energy Project Manager.

**Adjourned:** 1:50 p.m.

## HUMAN RESOURCES

**Convened:** Monday, February 8, 2016, 4:30 p.m.

**Members Present:** Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm.

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

**Committee Business:** Approved SSB 3066, as amended; approved SSB 3073 and SSB 3081. Passed SF 2032 and SF 2049, both as amended.

**Adjourned:** 5:10 p.m.

## STATE GOVERNMENT

**Convened:** Monday, February 8, 2016, 3:30 p.m.

**Recessed:** 3:35 p.m.

**Reconvened:** 4:00 p.m.

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

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

**Committee Business:** Passed SF 2001; approved SSBs 3011, 3052, and 3068.

**Adjourned:** 4:15 p.m.

## ADMINISTRATION AND REGULATION APPROPRIATIONS SUBCOMMITTEE

**Convened:** Tuesday, February 9, 2016, 10:00 a.m.

**Members Present:** Brase, Chair; Danielson, Vice Chair; Zumbach, Ranking Member; Allen, and Guth.

**Members Absent:** None.

**Committee Business:** Presentations by Utilities Board Chair, Geri Huser and State Treasurer, Michael Fitzgerald.

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

#### **ECONOMIC DEVELOPMENT APPROPRIATIONS SUBCOMMITTEE**

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

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

**Members Absent:** None.

**Committee Business:** Presentations by Iowa Workforce Development.

**Adjourned:** 11:10 a.m.

#### **HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE**

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

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

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 11:30 a.m.

#### **JUSTICE SYSTEMS APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Tuesday, February 9, 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:** 11:10 a.m.

#### **TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Thursday, January 14, 2016, 10:35 a.m.

**Members Present:** McCoy, Chair; Bowman, Vice Chair; and Petersen.

**Members Absent:** Kapucian, Ranking Member; and Anderson (both excused).

**Committee Business:** Organizational meeting.

**Adjourned:** 10:50 a.m.

**ALSO:**

**Convened:** Tuesday, January 19, 2016, 1:10 p.m.

**Members Present:** McCoy, Chair; Bowman, Vice Chair; Anderson, and Petersen.

**Members Absent:** Kapucian, Ranking Member (excused).

**Committee Business:** Organizational meeting.

**Adjourned:** 1:40 p.m.

**ALSO:**

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

**Members Present:** McCoy, Chair; Bowman, Vice Chair; Kapucian, Ranking Member; Anderson, and Petersen.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 11:25 a.m.

**ALSO:**

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

**Members Present:** McCoy, Chair; Bowman, Vice Chair; Kapucian, Ranking Member; and Petersen.

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

**Committee Business:** Organizational meeting.

**Adjourned:** 11:30 a.m.

**ALSO:**

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

**Members Present:** McCoy, Chair; Bowman, Vice Chair; Kapucian, Ranking Member; Anderson, and Petersen.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 10:55 a.m.

**ALSO:**

**Convened:** Wednesday, February 3, 2016, 10:10 a.m.

**Members Present:** McCoy, Chair; Bowman, Vice Chair; Kapucian, Ranking Member; Anderson, and Petersen.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 11:10 a.m.

**ALSO:**

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

**Members Present:** McCoy, Chair; Bowman, Vice Chair; Kapucian, Ranking Member; and Petersen.

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

**Committee Business:** Organizational meeting.

**Adjourned:** 11:10 a.m.

## INTRODUCTION OF BILLS

**Senate File 2126**, by Bolkcom, a bill for an act requiring authorization by the general assembly and governor prior to implementation of all federally approved Medicaid state plan amendments and waivers.

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

**Senate File 2127**, by Petersen, Jochum, and McCoy, a bill for an act concerning the establishment of a process for the debarment of a person from entering into certain state contracts with a state agency.

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

**Senate File 2128**, by Bolkcom, a bill for an act relating to midwives and the practice of midwifery and making a penalty applicable.

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

**Senate File 2129**, by Petersen, a bill for an act concerning administrative law judges appointed or employed by the public employment relations board.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

**Senate File 2130**, by Hogg, a bill for an act establishing a safe routes to school program and fund.

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

**Senate File 2131**, by Sinclair, a bill for an act relating to the credit hours of educational assistance under the national guard educational assistance program.

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

**Senate File 2132**, by Sinclair, a bill for an act relating to varsity interscholastic athletic contests and athletic competitions eligibility limitations for pupils who participate in open enrollment, and including effective date and retroactive applicability provisions.

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

**Senate File 2133**, by Chelgren, a bill for an act allowing the baiting of deer on private property and providing penalties.

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

**Senate File 2134**, by Kinney, a bill for an act allowing the use of a leashed dog to retrieve a wounded deer and providing a penalty.

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

**Senate File 2135**, by Schoenjahn, a bill for an act providing for the regulation of anhydrous ammonia containers, and making penalties applicable.

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

**Senate File 2136**, by committee on Human Resources, a bill for an act requiring immunization against meningococcal disease for certain students.

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

**Senate File 2137**, by Feenstra, Rozenboom, Sinclair, Schultz, Segebart, Garrett, Kraayenbrink, Shipley, Anderson, Johnson, Zumbach, Chapman, Schneider, Whitver, Guth, Costello, Breitbach, Kapucian, Chelgren, Behn, Dix, Bertrand, Smith, and Zaun, a bill for an act temporarily updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, and including effective date and retroactive applicability provisions.

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

**Senate File 2138**, by Bisignano, a bill for an act prohibiting the mistreatment of animals other than livestock and wild animals, providing reporting requirements, providing for criminal offenses, and including penalties.

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

**Senate File 2139**, by Schneider, a bill for an act relating to the disposition of unused property that was acquired by condemnation and including effective date and applicability provisions.

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

**Senate File 2140**, by Rozenboom, Johnson, Sinclair, Chelgren, Behn, Zaun, Schultz, Kraayenbrink, Kapucian, Dix, Bertrand, Chapman, Feenstra, Anderson, Segebart, Costello, Guth, Breitbach, Smith, Schneider, Whitver, Shipley, Garrett, and Zumbach, a bill for an act prohibiting certain actions regarding fetal body parts and providing penalties.

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

**Senate File 2141**, by Kinney, 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 referred to committee on **Human Resources**.

**Senate File 2142**, by committee on State Government, a bill for an act relating to voter registration and voting by lowering the age at which a person may register to vote and the age at which a registered voter is eligible to vote in a primary election.

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

**Senate File 2143**, by committee on State Government, a bill for an act relating to public disclosure of the receipt of certain gifts, bequests, and honoraria and making penalties applicable.

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

**Senate File 2144**, by committee on Human Resources, a bill for an act relating to the disclosure of behavioral health information for the purpose of patient care coordination, and including effective date provisions.

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

#### STUDY BILLS RECEIVED

**SSB 3116      State Government**

Providing an automated dispensing device privilege for certain liquor control licensees and beer and wine permittees.

**SSB 3117      State Government**

Relating to propane inspection and regulation, imposing an assessment, and making appropriations.

**SSB 3118      State Government**

Providing for the personal importation of wine and beer, and making taxes and penalties applicable.

**SSB 3119      Education**

Relating to a requirement that public schools post the department of human services' child abuse hotline telephone number.

**SSB 3120      Commerce**

Relating to utility facilities of electric transmission owners within public road rights-of-way.

**SSB 3121      Judiciary**

Relating to a criminal trespass that results in a violation of a person's expectation of privacy, and providing penalties.



**SSB 3122      Judiciary**

Relating to the criminal offense of identity theft, and providing penalties.

**SSB 3123      Judiciary**

Relating to the modification of the sex offender registry requirements for certain offenders.

**SSB 3124      Transportation**

Relating to the use of licenses and advertisements by motor vehicle dealers and wholesalers, and providing penalties.

**SSB 3125      Natural Resources and Environment**

Relating to incidents involving pesticide contamination, including by drift, providing for reporting, testing and analysis, making appropriations, and making penalties applicable.

**SSB 3126      Natural Resources and Environment**

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.

**SSB 3127      Judiciary**

Modifying the criminal penalties for a controlled substance that contains cocaine base, and providing penalties.

**SSB 3128      Appropriations**

Relating to the early childhood Iowa initiative, modifying an appropriation, and including effective date and retroactive applicability provisions.

**SSB 3129 Appropriations**

Relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection.

**SSB 3130 Appropriations**

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters and including effective date provisions.

**SSB 3131 Agriculture**

Providing for the administration of certain excise taxes imposed on the sale of cattle.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2058**

LOCAL GOVERNMENT: Taylor, Chair; Brase and Guth

**Senate File 2074**

JUDICIARY: Horn, Chair; Bisignano and Shipley

**Senate File 2082**

JUDICIARY: Kinney, Chair; Schneider and Sodders

**Senate File 2083**

JUDICIARY: Kinney, Chair; Taylor and Whitver

**Senate File 2084**

ECONOMIC GROWTH: Sodders, Chair; Anderson and Dotzler

**Senate File 2085**

ECONOMIC GROWTH: Mathis, Chair; Chapman and Danielson

**Senate File 2087**

JUDICIARY: Sodders, Chair; Horn and Schneider

**Senate File 2088**

JUDICIARY: Taylor, Chair; Quirmbach and Zaun

**Senate File 2089**

JUDICIARY: Sodders, Chair; Horn and Schneider

**Senate File 2100**

WAYS AND MEANS: Petersen, Chair; Quirmbach and Smith

**Senate File 2106**

COMMERCE: Courtney, Chair; Bolkcom and Smith

**Senate File 2114**

JUDICIARY: Horn, Chair; Schneider and Sodders

**Senate File 2117**

JUDICIARY: Horn, Chair; Kinney and Whitver

**Senate File 2118**

TRANSPORTATION: Dvorsky, Chair; Quirmbach and Smith

**Senate File 2121**

COMMERCE: Bolkcom, Chair; Anderson and Sodders

**Senate File 2122**

HUMAN RESOURCES: Dotzler, Chair; Allen and Garrett

**Senate File 2126**

HUMAN RESOURCES: Wilhelm, Chair; Chelgren and Taylor

**Senate File 2133**

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

**Senate File 2135**

AGRICULTURE: Kinney, Chair; Brase and Shipley

**SSB 3061**  
(Reassigned)

LOCAL GOVERNMENT: Bisignano, Chair; Brase and Sinclair

**SSB 3116**

STATE GOVERNMENT: Danielson, Chair; Horn and Whitver

**SSB 3117**

STATE GOVERNMENT: Bowman, Chair; McCoy and Schultz

**SSB 3118**

STATE GOVERNMENT: Danielson, Chair; Bertrand and Schoenjahn

**SSB 3119**

EDUCATION: Quirnbach, Chair; Behn and Mathis

**SSB 3120**

COMMERCE: Allen, Chair; Anderson and McCoy

**SSB 3121**

JUDICIARY: Kinney, Chair; Garrett and Sodders

**SSB 3122**

JUDICIARY: Kinney, Chair; Hogg and Shipley

**SSB 3123**

JUDICIARY: Quirnbach, Chair; Garrett and Taylor

**SSB 3124**

TRANSPORTATION: Bowman, Chair; Danielson and Kapucian

**SSB 3125**

NATURAL RESOURCES AND ENVIRONMENT: Schoenjahn, Chair; Kinney and Zumbach

**SSB 3126**

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

**SSB 3127**

JUDICIARY: Sodders, Chair; Garrett and Horn

**SSB 3128**

APPROPRIATIONS: Mathis, Chair; Chapman, Dvorsky, Kraayenbrink and Schoenjahn

**SSB 3129**

APPROPRIATIONS: Dvorsky, Chair; Chapman and Wilhelm

**SSB 3130**

APPROPRIATIONS: Dvorsky, Chair; Chapman and Schoenjahn

**SSB 3131**

AGRICULTURE: Brase, Chair; Kinney and Shipley

**FINAL COMMITTEE REPORTS OF BILL ACTION**

**HUMAN RESOURCES**

**Bill Title:** SENATE FILE 2136 (SSB 3073), a bill for an act requiring immunization against meningococcal disease for certain students.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Mathis, Ragan, Johnson, Allen, Bolkcom, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm. Nays, 1: Costello. Absent, 1: Chelgren.

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

**ALSO:**

**Bill Title:** \*SENATE FILE 2144 (formerly SF 2032), a bill for an act relating to the disclosure of behavioral health information for the purpose of patient care coordination, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Mathis, Ragan, Johnson, Allen, Bolkcom, 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 2144, and they were attached to the committee report.

#### STATE GOVERNMENT

**Bill Title:** \*SENATE FILE 2142 (formerly SF 2001), a bill for an act relating to voter registration and voting by lowering the age at which a person may register to vote and the age at which a registered voter is eligible to vote in a primary election.

**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 2142, and they were attached to the committee report.

#### ALSO:

**Bill Title:** \*SENATE FILE 2143 (SSB 3011), a bill for an act relating to public disclosure of the receipt of certain gifts, bequests, and honoraria and making penalties applicable.

**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 2143, and they were attached to the committee report.

#### AMENDMENT FILED

S-5003	S.F.	2092	Brad Zaun
			Tim L. Kapucian
			Jack Whitver
			Jake Chapman
			Rick Bertrand
			Mark Costello

Amy Sinclair  
Mark Chelgren  
Jerry Behn  
Randy Feenstra  
Bill Anderson  
Ken Rozenboom  
Dennis Guth  
Tom Shipley  
David Johnson  
Mark Segebart

# JOURNAL OF THE SENATE

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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, Ocheyedan, 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, Soddors, 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:** Soddors, Chair; Hogg, Vice Chair; Schneider, Ranking Member; Bisignano, Garrett, Horn, Kinney, Petersen, Quirmbach, 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 Quirmbach.

**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**

**Convended:** 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:**

**Convended:** 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:**

**Convended:** 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:**

**Convended:** 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: Quirmbach, 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, Bolkcom, 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, Bolkcom, 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

# JOURNAL OF THE SENATE

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THIRTY-SECOND CALENDAR DAY  
TWENTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, February 11, 2016

The Senate met in regular session at 9:05 a.m., President Pro Tempore Sodders presiding.

Prayer was offered by Reverend Dr. Tom Boomershine, pastor of the DeWitt United Methodist Church in DeWitt, Iowa. He was the guest of Senator Hart.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Samantha Lofthouse.

The Journal of Wednesday, February 10, 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 February 10, 2016, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 2035**, a bill for an act relating to the reimbursement rate for juvenile shelter care homes and including effective date and retroactive applicability provisions.

ALSO: That the House has on February 10, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2118**, a bill for an act concerning reports of financial irregularities filed by the state auditor with a county attorney.

Read first time and attached to **companion Senate File 2156**.

**House File 2147**, a bill for an act relating to absentee voting by uniformed and overseas citizens.

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

**House File 2180**, a bill for an act relating to requirements for the transfer of township funds raised for purposes of acquiring or repairing a public hall.

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

#### BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate Files 2073 and 2146** be referred from the Regular Calendar to the committee on **Appropriations**.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kapucian and Zaun, until they arrive, on request of Senator Dix.

The Senate stood at ease at 9:17 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:58 a.m., President Pro Tempore Soddors presiding.

#### CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2125.

## Senate File 2125

On motion of Senator Jochum, **Senate File 2125**, a bill for an act relating to the termination of Medicaid managed care contracts, and including effective date provisions, was taken up for consideration.

Senator Jochum moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2125), the vote was:

Yeas, 29:

Allen	Dearden	Johnson	Seng
Bisignano	Dotzler	Kinney	Shiple
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Chapman	Hogg	Quirmbach	
Courtney	Horn	Ragan	
Danielson	Jochum	Schoenjahr	

Nays, 19:

Anderson	Costello	Kraayenbrink	Sinclair
Behn	Dix	Rozenboom	Smith
Bertrand	Feenstra	Schneider	Whitver
Breitbach	Garrett	Schultz	Zumbach
Chelgren	Guth	Segebart	

Absent, 2:

Kapucian	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2125** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:13 a.m. until 1:00 p.m., Monday, February 15, 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 EDUCATION

Education Report—School Infrastructure Funding Report, pursuant to Iowa Code section 256.9(19). Report received on February 11, 2016.

Iowa Association of School Boards Annual Report, pursuant to Iowa Code section 279.38. Report received on February 11, 2016.

#### BOARD OF REGENTS

Gifts and Grants Quarterly Report for Quarter Ending December 31, 2015, pursuant to Iowa Code section 8.44. Report received on February 11, 2016.

### REPORTS OF COMMITTEE MEETINGS

#### ECONOMIC GROWTH

**Convened:** Thursday, February 11, 2016, 1:05 p.m.

**Members Present:** Hart, Chair; Soddors, Vice Chair; Chelgren, Ranking Member; Anderson, Bisignano, Bowman, Breitbart, Chapman, Danielson, Dotzler, Guth, Mathis, Schneider, Taylor, and Wilhelm.

**Members Absent:** None.

**Committee Business:** Approved SSB 3095. Presentation by Iowa Center for Economic Success.

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

#### HUMAN RESOURCES

**Convened:** Wednesday, February 10, 2016, 3:00 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:** Passed SF 2075, as amended; approved SSBs 3036, 3072, and 3109.

**Adjourned:** 4:00 p.m.



**JUDICIARY**

**Convened:** Thursday, February 11, 2016, 2:00 p.m.

**Recessed:** 2:05 p.m.

**Reconvened:** 2:30 p.m.

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

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

**Committee Business:** Passed SF 2082 and SF 2083; approved SSBs 3008, 3077, 3111, 3121, and 3127.

**Adjourned:** 2:45 p.m.

**VETERANS AFFAIRS**

**Convened:** Thursday, February 11, 2016, 12:30 p.m.

**Members Present:** Horn, Chair; Mathis, Vice Chair; Segebart, Ranking Member; Allen, Chelgren, Costello, Danielson, Hart, Ragan, and Rozenboom.

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

**Committee Business:** Approved SSBs 3083, 3084, and 3085.

**Adjourned:** 12:50 p.m.

**EDUCATION APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Thursday, February 11, 2016, 10:05 a.m.

**Members Present:** Schoenjahn, Chair; Quirmbach, Vice Chair; Kraayenbrink, Ranking Member; Horn, and Sinclair.

**Members Absent:** None.

**Committee Business:** Presentation by Regent Universities: Steven Gettel, Superintendent for School for the Deaf and the Braille and Sight Saving School; William Rudd, President of UNI; Steven Leath, President of ISU; and J. Bruce Harreld, President of UI.

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

## INTRODUCTION OF BILLS

**Senate File 2157**, by committee on State Government, a bill for an act relating to elections administration with respect to the address confidentiality program, satellite absentee voting, and the conduct of school district elections.

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

**Senate File 2158**, by committee on Judiciary, a bill for an act relating to the placement of shorthand reporters in exempt status and to the supervision of the board of examiners of shorthand reporters.

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

**Senate File 2159**, by committee on Human Resources, a bill for an act relating to public health including public health modernization and boards of health.

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

**Senate File 2160**, by committee on Human Resources, a bill for an act relating to the prescribing and dispensing of oral contraceptives under the Medicaid program.

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

**Senate File 2161**, by committee on Human Resources, a bill for an act relating to children's mental health and well-being and making an appropriation.

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

**Senate File 2162**, by committee on State Government, a bill for an act providing for the use of an electronic filing system for administrative proceedings by the administrative hearings division of the department of inspections and appeals.

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

**Senate File 2163**, by committee on Education, a bill for an act relating to licensing fees collected by the board of educational examiners, nullifying related administrative rules, and including effective date and retroactive applicability provisions.

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

**Senate File 2164**, by committee on Judiciary, a bill for an act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered, and including applicability provisions.

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

**Senate File 2165**, by Allen, a bill for an act relating to a child in need of assistance and child abuse and a drug-endangered child.

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

**Senate File 2166**, by Schneider, a bill for an act relating to forfeiture of property for criminal offenses.

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

**Senate File 2167**, by Schneider, a bill for an act relating to regulation and supervision of executive branch administrative units that regulate a profession.

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

**Senate File 2168**, by committee on Veterans affairs, a bill for an act establishing a veterans treatment court in each judicial district.

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

**Senate File 2169**, by committee on Veterans Affairs, a bill for an act concerning veterans preference information.

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

**Senate File 2170**, by committee on State Government, a bill for an act modifying the notice requirements for public improvement projects.

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

**Senate File 2171**, by Guth, Chapman, Rozenboom, Segebart, Johnson, Schultz, Behn, Kraayenbrink, Shipley, Costello, and Garrett, a bill for an act relating to the standard of judicial review and providing a claim or defense when a state action burdens a person's exercise of religion, and including effective date provisions.

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

**Senate File 2172**, by Petersen, a bill for an act establishing a task force related to extending juvenile court jurisdiction in delinquency matters and proceedings to include persons under the age of twenty-one years.

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

**Senate File 2173**, by Petersen, a bill for an act relating to law enforcement profiling by standardizing the collection and centralizing the compilation and reporting of officer stop and complaint data, providing for officer training, creating a community policing advisory board, providing for penalties and remedies, and including effective date provisions.

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

**Senate File 2174**, by Courtney, a bill for an act relating to the access to and retention of peace officer body camera data.

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

**Senate File 2175**, by Bisignano, a bill for an act concerning employment prohibitions relating to receiving an annuity under the judicial retirement system.

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

**Senate File 2176**, by Guth, a bill for an act restricting the movement of dogs and cats into this state by certain persons regulated by the department of agriculture and land stewardship, and including penalties.

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

**Senate File 2177**, by Guth, a bill for an act relating to persons selling dogs or cats to persons for their own use and enjoyment, by providing for express warranties covering the condition of the dogs or cats, and including penalties.

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

**Senate File 2178**, by Smith, a bill for an act relating to a declaration concerning the final disposition of a person's remains and including applicability provisions.

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

## STUDY BILLS RECEIVED

### **SSB 3142      Economic Growth**

Relating to small farm operations involved in the production of certain commodities that are unprocessed or processed, including by establishing programs to support production and marketing, and requiring government entities to provide a preference for certified small farm operators when purchasing food.

**SSB 3143      Human Resources**

Providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions.

**SSB 3144      Judiciary**

Creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty.

**SSB 3145      State Government**

Relating to the distribution and permissible expenditures of the emergency communications service surcharge and the name of the surcharge fund.

**SSB 3146      Economic Growth**

Modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site.

**SSB 3147      State Government**

Relating to the administration of city elections by permitting the county commissioner of elections to designate a city clerk to receive city candidate filings.

**SSB 3148      Commerce**

Relating to certain disclosure requirements for the transfer of real estate involving limited liability companies.

**SSB 3149      Agriculture**

Providing for an in-field watershed quality education pilot project.

**SSB 3150      Local Government**

Relating to the standards for land surveying, including requirements for recorded document formatting, monument preservation certificates, and retracement plats of survey.

**SUBCOMMITTEE ASSIGNMENTS**

**Senate File 2120**

JUDICIARY: Petersen, Chair; Bisignano and Schneider

**Senate File 2138**

JUDICIARY: Bisignano, Chair; Petersen and Schneider

**Senate File 2139**

JUDICIARY: Hogg, Chair; Schneider and Sodders

**Senate File 2148**

EDUCATION: Quirnbach, Chair; Dvorsky and Zaun

**SSB 3142**

ECONOMIC GROWTH: Taylor, Chair; Bowman and Chelgren

**SSB 3143**

HUMAN RESOURCES: Bolkcom, Chair; Johnson and Mathis

**SSB 3144**

JUDICIARY: Sodders, Chair; Garrett and Horn

**SSB 3145**

STATE GOVERNMENT: Danielson, Chair; Chapman and Dvorsky

**SSB 3146**

ECONOMIC GROWTH: Dotzler, Chair; Guth and Mathis

**SSB 3147**

STATE GOVERNMENT: Dearden, Chair; Chapman and Petersen

**SSB 3148**

COMMERCE: Allen, Chair; Anderson and Schoenjahn

**SSB 3149**

AGRICULTURE: Hart, Chair; Kapucian and Seng

**SSB 3150**

LOCAL GOVERNMENT: Taylor, Chair; Allen and Guth

**FINAL COMMITTEE REPORTS OF BILL ACTION****EDUCATION**

**Bill Title:** \*SENATE FILE 2163 (SSB 3047), a bill for an act relating to licensing fees collected by the board of educational examiners, nullifying related administrative rules, and including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Quirnbach, 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.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on Senate File 2163, and they were attached to the committee report.

**HUMAN RESOURCES**

**Bill Title:** SENATE FILE 2159 (SSB 3072), a bill for an act relating to public health including public health modernization and boards of health.

**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 2160 (SSB 3036), a bill for an act relating to the prescribing and dispensing of oral contraceptives under the Medicaid program.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Mathis, Ragan, Allen, Bolkcom, Dotzler, Jochum, Segebart, Taylor, and Wilhelm. Nays, 4: Johnson, Chelgren, Costello, and Garrett. Absent, none.

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



**ALSO:**

**Bill Title:** SENATE FILE 2161 (SSB 3109), a bill for an act relating to children's mental health and well-being and making an appropriation.

**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.

**JUDICIARY**

**Bill Title:** \*SENATE FILE 2158 (SSB 3028), a bill for an act relating to the placement of shorthand reporters in exempt status and to the supervision of the board of examiners of shorthand reporters.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Sodders, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, 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 Judiciary Committee on Senate File 2158, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2164 (formerly SF 2023), a bill for an act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered, and including applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Sodders, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, 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 Judiciary Committee on Senate File 2164, and they were attached to the committee report.

**STATE GOVERNMENT**

**Bill Title:** SENATE FILE 2157 (SSB 3020), a bill for an act relating to elections administration with respect to the address confidentiality program, satellite absentee voting, and the conduct of school district elections.

**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 2162 (SSB 3022), a bill for an act providing for the use of an electronic filing system for administrative proceedings by the administrative hearings division of the department of inspections and appeals.

**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 2170 (SSB 3040), a bill for an act modifying the notice requirements for public improvement projects.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Danielson, Courtney, Bertrand, Bowman, Chapman, Dearden, Dvorsky, Feenstra, Horn, McCoy, Petersen, Schoenjahn, Schultz, and Whitver. Nays, 1: Johnson. 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 2170, and they were attached to the committee report.

**VETERANS AFFAIRS**

**Bill Title:** SENATE FILE 2168 (SSB 3085), a bill for an act establishing a veterans treatment court in each judicial district.

**Recommendation:** APPROVED COMMITTEE BILL.

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

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

**ALSO:**

**Bill Title:** SENATE FILE 2169 (SSB 3084), a bill for an act concerning veterans preference information.

**Recommendation:** APPROVED COMMITTEE BILL.

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

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

### EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on Thursday, February 11, 2016, when the vote was taken on Senate File 2125. Had I been present, I would have voted AYE.

BRAD ZAUN

### 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:

#### HUMAN RESOURCES

George Belitsos – Commission on Tobacco Use Prevention and Control

#### AMENDMENT FILED

S-5005      S.F.      2157      Jeff Danielson

# JOURNAL OF THE SENATE

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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, Sodders, 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: Sodders, 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, Bolkom, 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: Sodders.

**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

# **JOURNAL OF THE SENATE**

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THIRTY-SEVENTH CALENDAR DAY  
TWENTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, February 16, 2016

The Senate met in regular session at 9:01 a.m., President Jochum presiding.

Prayer was offered by The Most Reverend Martin J. Amos, Bishop of the Diocese of Davenport. He was the guest of Senators Johnson, Seng, and Smith.

## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Senate Page Cade Olmstead.

The Journal of Monday, February 15, 2016, was approved.

## **ADJOURNMENT**

On motion of Senator Gronstal, the Senate adjourned at 9:15 a.m. until 9:00 a.m., Wednesday, February 17, 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 EDUCATION**

Iowa Association of School Boards Annual Report, pursuant to Iowa Code section 279.38. Report received on February 15, 2016.

## LEGISLATIVE SERVICES AGENCY

Urban Renewal Report—Tax Increment Financing (TIF), pursuant to Iowa Code section 331.403. Report received on February 15, 2016.

## CERTIFICATES OF RECOGNITION

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

KDTH Radio, Dubuque—For celebrating its 75<sup>th</sup> anniversary of being on air. Senator Jochum.

Faye Wookey, Emerson—For celebrating her 100<sup>th</sup> birthday. Senator Costello.

## REPORTS OF COMMITTEE MEETINGS

## COMMERCE

**Convened:** Tuesday, February 16, 2016, 9:35 a.m.

**Recessed:** 9:40 a.m.

**Reconvened:** 10:15 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:** Appointment of Ron Hansen, Superintendent of Banking. Discussed SSBs 3019, 3082, 3099, and 3120; and discussed SF 2019.

**Adjourned:** 10:30 a.m.

## HUMAN RESOURCES

**Convened:** Monday, February 15, 2016, 3:35 p.m.

**Members Present:** Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm.

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

**Committee Business:** Passed SF 2008, as amended; SF 2079, as amended; and SF 2107. Approved SSB 3113.

**Adjourned:** 4:30 p.m.



**NATURAL RESOURCES AND ENVIRONMENT**

**Convened:** Tuesday, February 16, 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:** Discussed SSB 3126.

**Adjourned:** 1:15 p.m.

**TRANSPORTATION**

**Convened:** Tuesday, February 16, 2016, 2:05 p.m.

**Members Present:** Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbach, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, McCoy, Quirnbach, and Smith.

**Members Absent:** None.

**Committee Business:** Passed SF 2076 and approved SSB 3078.

**Adjourned:** 2:25 p.m.

**HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Tuesday, February 16, 2016, 11:05 a.m.

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

**Members Absent:** None.

**Committee Business:** Update from Mikki Stier on Medicaid.

**Adjourned:** 12:20 p.m.

**INTRODUCTION OF BILLS**

**Senate File 2193**, by committee on Labor and Business Relations, a bill for an act relating to wage discrimination under the Iowa civil rights Act of 1965, making penalties applicable, and establishing an equal pay task force.

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

**Senate File 2194**, by committee on Labor and Business Relations, a bill for an act concerning administrative law judges appointed or employed by the public employment relations board.

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

**Senate File 2195**, by committee on Education, a bill for an act requiring that human growth and development instruction by school boards include age-appropriate information regarding dating violence and prevention.

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

**Senate File 2196**, by committee on Education, a bill for an act relating to reading and literacy requirements for practitioner preparation programs.

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

**Senate File 2197**, by committee on Human Resources, a bill for an act relating to the membership of the medical assistance advisory council and executive committee.

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

**Senate File 2198**, by committee on State Government, a bill for an act relating to the use of experimental treatments for patients with a terminal illness.

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

**Senate File 2199**, by committee on State Government, a bill for an act relating to absentee voting by uniformed and overseas citizens.

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

**Senate File 2200**, by committee on Education, a bill for an act concerning instruction provided through the Iowa learning online initiative.

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

**Senate File 2201**, by Chapman, Zaun, Segebart, Chelgren, Shipley, Behn, Schultz, Kraayenbrink, Kapucian, Breitbach, Anderson, Guth, Bertrand, and Sinclair, a bill for an act requiring search warrants for certain activities under the jurisdiction of the natural resource commission.

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

**Senate File 2202**, by Petersen, a bill for an act concerning department of administrative services' procedures regarding the designation of individuals as ineligible for state employment and sanctions for violations of competitive bidding procedures.

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

**Senate File 2203**, by Chelgren, a bill for an act relating to participation in extracurricular activities in the school district of residence by pupils who open enroll to receive educational instruction and course content primarily over the internet.

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

**Senate File 2204**, by committee on Commerce, a bill for an act relating to insurance coverage for the assessment and treatment of eating disorders and including applicability date provisions.

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

**Senate File 2205**, by committee on Education, a bill for an act relating to varsity interscholastic athletic contests and athletic competitions eligibility limitations for pupils who participate in open enrollment, and including effective date and retroactive applicability provisions.

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

**Senate File 2206**, by Schneider, a bill for an act relating to institutional health facilities under the newborn safe haven Act.

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

**Senate File 2207**, by Chapman, a bill for an act restricting certain city utility boards from approving payment of bonus compensation to specified officers of the city utility, and including effective date and retroactive applicability provisions.

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

**Senate File 2208**, by Chapman and Anderson, a bill for an act relating to state financing involving the state general fund expenditure limitation by revising calculation requirements for the limitation, increasing reserve fund balances, creating a safety net fund, creating an Iowa personal income tax rate reduction fund, making transfers, and providing for related state personal income tax rate reductions, and including effective and applicability dates.

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

**Senate File 2209**, by McCoy, a bill for an act relating to higher education by providing for the establishment of the state of Iowa higher education bank and revolving fund and eliminating the deduction for federal taxes paid by certain individual income taxpayers and including retroactive applicability provisions.

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

**Senate File 2210**, by Dix, a bill for an act relating to a right of first refusal for cotenants of family farms and defendants in certain partition actions, and including applicability provisions.

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

**Senate File 2211**, by Guth, Segebart, Schultz, Johnson, Rozenboom, Chapman, Zaun, Kraayenbrink, Behn, and Feenstra, a bill for an act establishing the government nondiscrimination Act, and including effective date provisions.

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

**Senate File 2212**, by committee on Economic Growth, a bill for an act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site.

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

**Senate File 2213**, by committee on Human Resources, a bill for an act relating to Medicaid program improvement, and including effective date and retroactive applicability provisions.

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

**Senate File 2214**, by committee on Human Resources, a bill for an act relating to the dispensing of additional quantities of a prescription within the limitations of the prescription.

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

#### STUDY BILLS RECEIVED

##### **SSB 3157      Transportation**

Establishing a motor vehicle insurance verification program, establishing fees, and including penalty and effective date provisions.

##### **SSB 3158      State Government**

Relating to emergency response services by authorizing the establishment of benefited emergency response districts.

**SSB 3159 Appropriations**

Relating to appropriations to the justice system, and including effective date provisions.

**SSB 3160 Appropriations**

Relating to appropriations to the judicial branch.

**SSB 3161 Appropriations**

Relating to and making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions.

**SSB 3162 Appropriations**

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the state bond repayment fund, providing for related matters, and including effective date provisions.

**SSB 3163 Ways and Means**

Amending the sales tax imposed on certain machinery, equipment, attachments, and replacement parts used in construction.

**SSB 3164 Ways and Means**

Establishing a retirement savings plan trust, making appropriations, and including contingent implementation and effective date provisions.

**SSB 3165 Ways and Means**

Relating to licensure, regulation, and complaint procedures for the hotel sanitation code, home food establishments, and food establishments and food processing plants, and modifying fees and penalties.

**SUBCOMMITTEE ASSIGNMENTS**

**Senate File 2088**

JUDICIARY: Taylor, Chair; Quirmbach and Zaun

**Senate File 2128**  
(Reassigned)

STATE GOVERNMENT: Courtney, Chair; Bowman and Schultz

**Senate File 2179**

WAYS AND MEANS: Dotzler, Chair; Bolkcom and Smith

**Senate File 2201**

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

**Senate File 2203**

EDUCATION: Dvorsky, Chair; Hogg and Schultz

**SSB 3157**

TRANSPORTATION: Danielson, Chair; Breitbach and McCoy

**SSB 3158**

STATE GOVERNMENT: Danielson, Chair; Chapman and Dvorsky

**SSB 3159**

APPROPRIATIONS: Dvorsky, Chair; Courtney and Garrett

**SSB 3160**

APPROPRIATIONS: Dvorsky, Chair; Courtney and Garrett

**SSB 3161**

APPROPRIATIONS: Dvorsky, Chair; Dotzler and Schneider

**SSB 3162**

APPROPRIATIONS: Dvorsky, Chair; Kapucian and McCoy

**SSB 3163**

WAYS AND MEANS: Dotzler, Chair; Allen and Behn

**SSB 3164**

WAYS AND MEANS: Petersen, Chair; Bolkcom and Feenstra

**SSB 3165**

WAYS AND MEANS: Dotzler, Chair; Quirmbach and Schultz

**FINAL COMMITTEE REPORTS OF BILL ACTION****COMMERCE**

**Bill Title:** SENATE FILE 2204 (formerly SF 2019), a bill for an act relating to insurance coverage for the assessment and treatment of eating disorders and including applicability date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Petersen, McCoy, Allen, Bertrand, Bolkcom, Courtney, Mathis, Schoenjahn, Seng, Smith, and Soddors. Nays, 4: Anderson, Schneider, Sinclair, and Zumbach. Absent, none.

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

**ECONOMIC GROWTH**

**Bill Title:** SENATE FILE 2212 (SSB 3146), a bill for an act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Hart, Soddors, Chelgren, Anderson, Bisignano, Danielson, Dotzler, Mathis, Taylor, and Wilhelm. Nays, 5: Bowman, Breitbach, Chapman, Guth, and Schneider. Absent, none.

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

**EDUCATION**

**Bill Title:** SENATE FILE 2195 (formerly SF 2077), a bill for an act requiring that human growth and development instruction by school boards include age-appropriate information regarding dating violence and prevention.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Quirmbach, Schoenjahn, Sinclair, Behn, Bowman, Hart, Hogg, Johnson, Kinney, Kraayenbrink, Mathis, Schultz, Wilhelm, and Zaun. Nays, none. Absent, 1: Dvorsky.

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



**ALSO:**

**Bill Title:** SENATE FILE 2196 (SSB 3046), a bill for an act relating to reading and literacy requirements for practitioner preparation programs.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Quirnbach, Schoenjahn, Sinclair, Behn, Bowman, Hart, Hogg, Johnson, Kinney, Kraayenbrink, Mathis, Schultz, Wilhelm, and Zaun. Nays, none. Absent, 1: Dvorsky.

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

**ALSO:**

**Bill Title:** SENATE FILE 2200 (SSB 3091), a bill for an act concerning instruction provided through the Iowa learning online initiative.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Quirnbach, Schoenjahn, Sinclair, Behn, Bowman, Hart, Hogg, Johnson, Kinney, Kraayenbrink, Mathis, Schultz, Wilhelm, and Zaun. Nays, none. Absent, 1: Dvorsky.

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

**ALSO:**

**Bill Title:** \*SENATE FILE 2205 (formerly SF 2132), a bill for an act relating to varsity interscholastic athletic contests and athletic competitions eligibility limitations for pupils who participate in open enrollment, and including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Quirnbach, Schoenjahn, Sinclair, Behn, Bowman, Hart, Hogg, Johnson, Kinney, Kraayenbrink, Mathis, Schultz, Wilhelm, and Zaun. Nays, none. Absent, 1: Dvorsky.

**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 File 2205, and they were attached to the committee report.

**HUMAN RESOURCES**

**Bill Title:** SENATE FILE 2197 (SSB 3113), a bill for an act relating to the membership of the medical assistance advisory council and executive committee.

**Recommendation:** APPROVED COMMITTEE BILL.

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

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

**ALSO:**

**Bill Title:** SENATE FILE 2213 (formerly SF 2107), a bill for an act relating to Medicaid program improvement, and including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

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

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

**ALSO:**

**Bill Title:** \*SENATE FILE 2214 (formerly SF 2079), a bill for an act relating to the dispensing of additional quantities of a prescription within the limitations of the prescription.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Mathis, Ragan, Johnson, Allen, Bolkcom, 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 2214, and they were attached to the committee report.

## **LABOR AND BUSINESS RELATIONS**

**Bill Title:** SENATE FILE 398, a bill for an act relating to the state wage payment collection law and making an appropriation.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5007.

**Final Vote:** Ayes, 11: Bisignano, Seng, Shipley, Bertrand, Brase, Costello, Courtney, Dearden, Dotzler, Soddors, and Whitver. Nays, none. Absent, none.

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

**ALSO:**

**Bill Title:** SENATE FILE 2193 (SSB 3071), a bill for an act relating to wage discrimination under the Iowa civil rights Act of 1965, making penalties applicable, and establishing an equal pay task force.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 7: Bisignano, Seng, Brase, Courtney, Dearden, Dotzler, and Soddors. Nays, 4: Shipley, Bertrand, Costello, and Whitver. Absent, none.

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

**ALSO:**

**Bill Title:** SENATE FILE 2194 (formerly SF 2129), a bill for an act concerning administrative law judges appointed or employed by the public employment relations board.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Bisignano, Seng, Shipley, Bertrand, Brase, Costello, Courtney, Dearden, Dotzler, Soddors, and Whitver. Nays, none. Absent, none.

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

#### STATE GOVERNMENT

**Bill Title:** SENATE FILE 2198 (SSB 1264), a bill for an act relating to the use of experimental treatments for patients with a terminal illness.

**Recommendation:** APPROVED COMMITTEE BILL.

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

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

**ALSO:**

**Bill Title:** SENATE FILE 2199 (SSB 3037), a bill for an act relating to absentee voting by uniformed and overseas citizens.

**Recommendation:** APPROVED COMMITTEE BILL.

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

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

## PRESENTATION OF VISITORS

Senator Dotzler welcomed the following visitors who were present in the Senate gallery:

Sarah Novacek, CEO and Founder of Legacy Logistics Freight, Inc., in Mason City, Iowa, who received the 2016 Deb Dalziel Woman Entrepreneur Achievement Award; and Tony Halsted, Owner of Hoover's Hatchery Company, LLC, in Rudd, Iowa, who received the 2016 Neal Smith Entrepreneur of the Year Award.

## GOVERNOR'S APPOINTEE PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

### COMMERCE

Ron Hansen – Superintendent of Banking

## AMENDMENTS FILED

S-5006	S.F.	2112	Robert M. Hogg
S-5007	S.F.	398	Labor and Business Relations
S-5008	S.F.	2155	Jeff Danielson

# JOURNAL OF THE SENATE

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THIRTY-EIGHTH CALENDAR DAY  
TWENTY-THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, February 17, 2016

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

Prayer was offered by Father Steve Witt of St. Mary of the Visitation Church in Iowa City, Iowa. He was the guest of Senator Kapucian

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ashton Price

The Journal of Thursday, February 16, 2016, was approved.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:31 a.m. until 9:00 a.m., Thursday, February 18, 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:

### BOARD OF REGENTS

Gifts and Grants Monthly Report for January 2016, pursuant to Iowa Code section 8.44. Report received on February 17, 2016.

## DEPARTMENT OF REVENUE

Central Collections Unit Quarterly Debt Collection Report, pursuant to Iowa Code section 421.17. Report received on February 17, 2016.

Corporate Income Tax—Research Activities Credit Report, pursuant to Iowa Code section 422.33(5)(h). Report received on February 17, 2016.

Economic Development Award—Research Activities Credit Report, pursuant to Iowa Code section 15.335(9). Report received on February 17, 2016.

Individual Income Tax—Research Activities Credit Report, pursuant to Iowa Code section 422.10(6). Report received on February 17, 2016.

## CERTIFICATES OF RECOGNITION

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

Blake Anderson, Bettendorf—For being named 2016 Prudential Spirit of Community Distinguished Finalist. Senator Smith.

Louie and Bernie Hawe, Garner—For celebrating their 70<sup>th</sup> wedding anniversary. Senator Guth.

Gys Rozenboom, Oskaloosa—For celebrating his 100<sup>th</sup> birthday. Senator Rozenboom.

Charles Schneckloth, Maquoketa—For being named Farmer of the Year. Senator Bowman.

## REPORTS OF COMMITTEE MEETINGS

## EDUCATION

**Convened:** Wednesday, February 17, 2016, 9:30 a.m.

**Recessed:** 9:35 a.m.

**Reconvened:** 9:50 a.m.

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

**Members Absent:** None.

**Committee Business:** Passed SFs 2131 and 2148; Approved SSBs 3132, 3133, 3140, and 3154; and passed HF 228, as amended.

**Adjourned:** 10:10 a.m.

**HUMAN RESOURCES**

**Convened:** Wednesday, February 17, 2016, 3:05 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:** Passed SF 2091, as amended, and SF 2141. Withdrew SF 2165. Approved SSBs 3114, 3143, and 3151, all amended.

**Adjourned:** 4:10 p.m.

**JUDICIARY**

**Convened:** Tuesday, February 16, 2016, 3:30 p.m.

**Recessed:** 3:35 p.m.

**Reconvened:** 3:50 p.m.

**Members Present:** Soddors, Chair; Schneider, Ranking Member; Bisignano, Garrett, Horn, Kinney, Petersen, Quirmbach, Shipley, Taylor, Whitver, and Zaun.

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

**Committee Business:** Passed SF 84 and SF 2039; and approved SSBs 1249, 3104, and 3144. Discussed the appointment of Judy Bradshaw as Director of Law Enforcement Academy.

**Adjourned:** 4:10 p.m.

**STATE GOVERNMENT**

**Convened:** Wednesday, February 17, 2016, 11:05 a.m.

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

**Reconvened:** 11:40 a.m.

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

**Members Absent:** None.

**Committee Business:** Approved SSBs 3039, 3075, 3088, 3145, and 3147.

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

**TRANSPORTATION**

**Convened:** Wednesday, February 17, 2016, 3:00 p.m.

**Members Present:** Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbach, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, McCoy, Quirnbach, and Smith.

**Members Absent:** None.

**Committee Business:** Passed SF 2015 and approved SSBs 3110 and 3124.

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

**INTRODUCTION OF RESOLUTIONS**

**Senate Joint Resolution 2004**, by committee on Natural Resources and Environment, 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 **placed on calendar**.

**Senate Joint Resolution 2005**, by Chelgren, Bertrand, and Schultz, a joint resolution proposing an amendment to the Constitution of the State of Iowa limiting terms of service for members of the general assembly, the governor, the lieutenant governor, the secretary of state, the auditor of state, the treasurer of state, and other elected state executive officials.

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

**Senate Joint Resolution 2006**, by committee on Education, a joint resolution nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions.

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



## INTRODUCTION OF BILLS

**Senate File 2215**, by Smith, a bill for an act relating to interest earned on school district cash reserves and including applicability provisions.

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

**Senate File 2216**, by committee on Commerce, a bill for an act relating to utility facilities of electric transmission owners within public road rights-of-way.

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

**Senate File 2217**, by committee on Education, a bill for an act relating to the definition of child abuse and to mandatory reporting training to recognize and report incidents of human trafficking involving minors, and making penalties applicable.

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

**Senate File 2218**, by committee on Human Resources, a bill for an act relating to the possession and administration of emergency drugs by first responders and other persons in a position to assist for purposes of treating drug overdose victims and including contingent implementation provisions.

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

**Senate File 2219**, by committee on State Government, a bill for an act requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions.

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

**Senate File 2220**, by Hogg, a bill for an act relating to the right of a tenant or resident to summon emergency assistance.

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

**Senate File 2221**, by committee on Commerce, a bill for an act relating to public utilities and sanitary sewage or storm water drainage disposal system providers.

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

**Senate File 2222**, by committee on Commerce, a bill for an act relating to the prescribing and dispensing of self-administered oral hormonal contraceptives including by pharmacists and providing insurance coverage for such contraceptives prescribed and dispensed.

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

**Senate File 2223**, by committee on Economic Growth, a bill for an act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date and retroactive applicability provisions.

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

**Senate File 2224**, by committee on Transportation, a bill for an act relating to the overtaking and passing of bicyclists by motor vehicles, and applying existing penalties.

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

**Senate File 2225**, by committee on Education, a bill for an act relating to assessing and reporting of potential concussions or brain injuries in certain extracurricular interscholastic athletic contests.

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

**Senate File 2226**, by committee on Judiciary, a bill for an act relating to the limitations of criminal actions in sexually motivated or exploitation offenses that involve a minor, modifying the criminal offense for disseminating obscene materials to minors, and providing penalties.

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

**Senate File 2227**, by Chapman, a bill for an act establishing a future repeal date for all administrative rules.

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

**Senate File 2228**, by committee on Transportation, a bill for an act relating to the activities of motor vehicle dealers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the furnishing of surety bonds, and the assessment of documentary fees, and making a penalty applicable.

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

**Senate File 2229**, by committee on Economic Growth, a bill for an act relating to the provision of financial assistance from the nuisance property remediation fund.

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

**Senate File 2230**, by Jochum, a bill for an act creating a community violence task force.

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

**Senate File 2231**, by committee on State Government, a bill for an act relating to disaster aid payment authorization requirements under specified circumstances.

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

**Senate File 2232**, by committee on Judiciary, a bill for an act relating to redemption by certain persons of parcels sold at tax sale.

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

**Senate File 2233**, by committee on Judiciary, a bill for an act creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty.

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

**Senate File 2234**, by committee on Education, a bill for an act relating to the credit hours of educational assistance under the national guard educational assistance program.

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

**Senate File 2235**, by committee on Education, a bill for an act relating to standards and licensure for certain children's centers.

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

**Senate File 2236**, by Segebart, 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.

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

#### STUDY BILL RECEIVED

#### **SSB 3166      Judiciary**

Requiring the master list for juror service to be updated using an electronic data processing system annually and eliminating jury commissions.

## SUBCOMMITTEE ASSIGNMENTS

### **Senate File 471**

APPROPRIATIONS: Dvorsky, Chair; Kraayenbrink and Schoenjahn

### **Senate File 473**

APPROPRIATIONS: Dvorsky, Chair; Kraayenbrink and Schoenjahn

### **Senate File 2073**

APPROPRIATIONS: Dvorsky, Chair; Courtney and Rozenboom

### **Senate File 2146**

APPROPRIATIONS: Dvorsky, Chair; Garrett and Ragan

### **Senate File 2153**

APPROPRIATIONS: Schoenjahn, Chair; Ragan and Zumbach

### **Senate File 2161**

APPROPRIATIONS: Dvorsky, Chair; Ragan and Segebart

### **Senate File 2168**

APPROPRIATIONS: Dvorsky, Chair; Courtney and Schneider

### **Senate File 2176**

AGRICULTURE: Kinney, Chair; Anderson and Seng

### **Senate File 2177**

AGRICULTURE: Kinney, Chair; Anderson and Seng

### **Senate File 2192**

AGRICULTURE: Kinney, Chair; Anderson and Seng

### **Senate File 2202**

STATE GOVERNMENT: Petersen, Chair; Johnson and McCoy

### **Senate File 2208**

WAYS AND MEANS: Quirnbach, Chair; Anderson and Bolcom

**Senate File 2209**

WAYS AND MEANS: McCoy, Chair; Feenstra and Quirmbach

**Senate File 2215**

EDUCATION: Kinney, Chair; Behn and Hogg

**SSB 3151**  
(Reassigned)

HUMAN RESOURCES: Mathis, Chair; Allen and Chelgren

**SSB 3166**

JUDICIARY: Soddors, Chair; Bisignano, Garrett, Hogg, Horn, Kinney, Petersen, Quirmbach, Schneider, Shipley, Taylor, Whitver and Zaun

## FINAL COMMITTEE REPORTS OF BILL ACTION

**COMMERCE**

**Bill Title:** SENATE FILE 2216 (SSB 3120), a bill for an act relating to utility facilities of electric transmission owners within public road rights-of-way.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Petersen, McCoy, Anderson, Allen, Bertrand, Bolkcom, Courtney, Mathis, Schneider, Schoenjahn, Seng, Sinclair, Smith, Soddors, and Zumbach. Nays, none. Absent, none.

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

**ALSO:**

**Bill Title:** \*SENATE FILE 2221 (SSB 3099), a bill for an act relating to public utilities and sanitary sewage or storm water drainage disposal system providers.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Petersen, McCoy, Anderson, Allen, Bertrand, Bolkcom, Courtney, Mathis, Schneider, Schoenjahn, Seng, Sinclair, Smith, Soddors, and Zumbach. 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 Commerce Committee on Senate File 2221, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2222 (SSB 3082), a bill for an act relating to the prescribing and dispensing of self-administered oral hormonal contraceptives including by pharmacists and providing insurance coverage for such contraceptives prescribed and dispensed.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Petersen, McCoy, Allen, Bolkcom, Courtney, Mathis, Schoenjahn, Seng, and Sodders. Nays, 6: Anderson, Bertrand, Schneider, Sinclair, Smith, 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 Commerce Committee on Senate File 2222, and they were attached to the committee report.

**ECONOMIC GROWTH**

**Bill Title:** SENATE FILE 2223 (formerly SF 2052), a bill for an act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Hart, Sodders, 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.

**ALSO:**

**Bill Title:** \*SENATE FILE 2229 (SSB 3136), a bill for an act relating to the provision of financial assistance from the nuisance property remediation fund.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Hart, Sodders, 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.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on Senate File 2229, and they were attached to the committee report.

**EDUCATION**

**Bill Title:** \*SENATE FILE 2217 (formerly SF 2095), a bill for an act relating to the definition of child abuse and to mandatory reporting training to recognize and report incidents of human trafficking involving minors, and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Quirnbach, Schoenjahn, Sinclair, Behn, Bowman, Hart, Hogg, Johnson, Kinney, Kraayenbrink, Mathis, Schultz, Wilhelm, and Zaun. Nays, none. Absent, 1: Dvorsky.

**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 File 2217, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2225 (SSB 3044), a bill for an act relating to assessing and reporting of potential concussions or brain injuries in certain extracurricular interscholastic athletic contests.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Quirnbach, Schoenjahn, Bowman, Hart, Hogg, Kinney, Mathis, and Wilhelm. Nays, 6: Sinclair, Behn, Johnson, Kraayenbrink, Schultz, and Zaun. Absent, 1: Dvorsky.

**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 File 2225, and they were attached to the committee report.

**ALSO:**

**Bill Title:** SENATE FILE 2234 (formerly SF 2131), a bill for an act relating to the credit hours of educational assistance under the national guard educational assistance program.

**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.



**ALSO:**

**Bill Title:** SENATE FILE 2235 (SSB 3154), a bill for an act relating to standards and licensure for certain children's centers.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Quirmbach, 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.

**ALSO:**

**Bill Title:** HOUSE FILE 228, a bill for an act relating to transitional coaching authorizations issued by the board of educational examiners and making penalties applicable.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5009.

**Final Vote:** Ayes, 15: Quirmbach, 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.

**ALSO:**

**Bill Title:** SENATE JOINT RESOLUTION 2006 (SSB 3133), a joint resolution nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Quirmbach, 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.

**HUMAN RESOURCES**

**Bill Title:** \*SENATE FILE 2218 (formerly SF 2008), a bill for an act relating to the possession and administration of emergency drugs by first responders and other persons in a position to assist for purposes of treating drug overdose victims and including contingent implementation provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Mathis, Ragan, Johnson, Allen, Bolkcom, 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 2218, and they were attached to the committee report.

## JUDICIARY

**Bill Title:** SENATE FILE 2226 (formerly SF 2039), a bill for an act relating to the limitations of criminal actions in sexually motivated or exploitation offenses that involve a minor, modifying the criminal offense for disseminating obscene materials to minors, and providing penalties.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Sodders, 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.

### ALSO:

**Bill Title:** \*SENATE FILE 2232 (SSB 1249), a bill for an act relating to redemption by certain persons of parcels sold at tax sale.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Sodders, 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 2232, and they were attached to the committee report.

### ALSO:

**Bill Title:** SENATE FILE 2233 (SSB 3144), a bill for an act creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty.

**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.

## NATURAL RESOURCES AND ENVIRONMENT

**Bill Title:** SENATE JOINT RESOLUTION 2004 (SSB 3126), 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.

**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.

## RULES AND ADMINISTRATION

**Bill Title:** SENATE JOINT RESOLUTION 1, a joint resolution requesting the call of a constitutional convention in order to propose an amendment to the Constitution of the United States to allow Congress and the states to prohibit or otherwise regulate the expenditure of funds for political speech by any corporation, limited liability company, or other corporate entity.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 7: Gronstal, Jochum, Courtney, Dearden, Dvorsky, Ragan, and Soddors. Nays, 3: Dix, Guth, and Whitver. Absent, 1: Chapman.

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

## STATE GOVERNMENT

**Bill Title:** \*SENATE FILE 2219 (SSB 3017), a bill for an act requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Danielson, Courtney, Bertrand, Bowman, Feenstra, Horn, Johnson, McCoy, Petersen, and Schoenjahn. Nays, 3: Chapman, Schultz, and Whitver. Absent, 2: Dearden and Dvorsky.

**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 2219, and they were attached to the committee report.

**ALSO:**

**Bill Title:** SENATE FILE 2231 (SSB 3039), a bill for an act relating to disaster aid payment authorization requirements under specified circumstances.

**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.

**TRANSPORTATION**

**Bill Title:** SENATE FILE 2224 (formerly SF 2076), a bill for an act relating to the overtaking and passing of bicyclists by motor vehicles, and applying existing penalties.

**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 2228 (SSB 3078), a bill for an act relating to the activities of motor vehicle dealers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the furnishing of surety bonds, and the assessment of documentary fees, and making a penalty 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 2228, and they were attached to the committee report.

**AMENDMENT FILED**

S-5009      H.F.      228      Education

# JOURNAL OF THE SENATE

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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, Soddors, 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, Quirmbach, 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, Quirmbach, 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, Quirmbach, 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, Quirmbach, 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, Quirmbach, 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, Quirmbach, 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, 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 2248, and they were attached to the committee report.

### AMENDMENT FILED

S-5010      S.F.      2198      Jeff Danielson

# JOURNAL OF THE SENATE

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FORTY-THIRD CALENDAR DAY  
TWENTY-FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, February 22, 2016

The Senate met in regular session at 1:11 p.m., President Jochum presiding.

Prayer was offered by the Honorable Mark Segebart, member of the Senate from Crawford County, Vail, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Sarah Thompson.

The Journal of Thursday, February 18, 2016, was approved.

## INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Ron Hansen, the governor's appointee to be the Superintendent of Banking. He was the guest of Senators Allen and Anderson and the committee on Commerce.

## BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following bills be referred from the Regular Calendar to the following committees:

- S.F. 2223 to Ways and Means
- S.F. 2237 to Appropriations
- S.F. 2241 to Appropriations
- S.F. 2245 to Rules and Administration

## RECESS

On motion of Senator Gronstal, the Senate recessed at 1:16 p.m. until the completion of a meeting of the committee on Education.



**APPENDIX—1****REPORTS OF COMMITTEE MEETINGS****AGRICULTURE**

**Convended:** Wednesday, February 17, 2016, 12:35 p.m.

**Recessed:** 12:40 p.m.

**Reconvened:** 1:00 p.m.

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

**Members Absent:** None.

**Committee Business:** Passed SF 2135. Approved SSBs 3079 and 3131.

**Adjourned:** 1:15 p.m.

**STATE GOVERNMENT**

**Convended:** Thursday, February 18, 2016, 2:35 p.m.

**Recessed:** 2:40 p.m.

**Reconvened:** 3:10 p.m.

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

**Members Absent:** None.

**Committee Business:** Passed SF 2013, SF 2036, SF 2127, SF 2202, and HF 2147. Approved SSBs 3087 and 3158.

**Adjourned:** 3:35 p.m.

**INTRODUCTION OF BILLS**

**Senate File 2251**, by committee on Agriculture, a bill for an act establishing a task force to study issues relating to anhydrous ammonia and including effective date provisions.

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

**Senate File 2252**, by committee on Labor and Business Relations, a bill for an act requiring employers to provide reasonable accommodations to employees based on pregnancy or childbirth and making penalties applicable.

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

**Senate File 2253**, by committee on Commerce, a bill for an act relating to certain disclosure requirements for the transfer of real estate involving limited liability companies.

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

**Senate File 2254**, by committee on Commerce, a bill for an act requiring certain group health insurance policies, contracts, or plans to provide coverage for autism spectrum disorders for certain persons, providing for a repeal, and including applicability and effective date provisions.

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

**Senate File 2255**, by committee on State Government, a bill for an act concerning department of administrative services' procedures regarding the designation of individuals as ineligible for state employment and sanctions for violations of competitive bidding procedures.

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

**Senate File 2256**, by committee on State Government, a bill for an act relating to voter registration by providing for the registration of eligible electors upon review of electronic records received from driver's license and nonoperator's identification card applications, and including effective date provisions.

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

**Senate File 2257**, by committee on Economic Growth, a bill for an act concerning the issuance of bonds authorized by the Iowa finance authority relating to projects and bond issuers regardless of location.

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

**Senate File 2258**, by committee on Human Resources, a bill for an act concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims.

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

**Senate File 2259**, by committee on Human Resources, a bill for an act concerning treatment of a person with a serious mental impairment who fails to comply with an outpatient treatment order.

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

**Senate File 2260**, by committee on Human Resources, a bill for an act relating to disclosure of ownership and control information for nonprofit corporations under the Medicaid program.

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

**Senate File 2261**, by committee on Commerce, a bill for an act relating to and providing insurance coverage for medication synchronization.

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

**Senate File 2262**, by committee on Judiciary, a bill for an act relating to forfeiture of property for criminal offenses.

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

**Senate File 2263**, by committee on Judiciary, a bill for an act relating to clerks of court, including the collection of court debt, the filing of medical reports, and the indexing of notices of lis pendens by county recorders, out-of-state-witness mileage expenses, and including effective date and applicability provisions.

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

**Senate File 2264**, by committee on Judiciary, a bill for an act relating to guardians ad litem, attorneys for minor children, child custody investigators, and child and family reporters involved in child custody and visitation proceedings.

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

**Senate File 2265**, by committee on Judiciary, a bill for an act requiring the master list for juror service to be updated using an electronic data processing system annually and eliminating jury commissions.

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

**Senate File 2266**, by committee on Judiciary, a bill for an act concerning employment prohibitions relating to receiving an annuity under the judicial retirement system.

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

**Senate File 2267**, by committee on Judiciary, a bill for an act relating to law enforcement profiling by standardizing the collection and centralizing the compilation and reporting of officer stop and complaint data, providing for officer training, creating a community policing advisory board, providing for penalties and remedies, and including effective date provisions.

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

**Senate File 2268**, by committee on Judiciary, a bill for an act relating to the modification of the sex offender registry requirements for certain offenders.

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

**Senate File 2269**, by committee on Judiciary, a bill for an act creating a community violence task force.

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

**Senate File 2270**, by committee on Judiciary, a bill for an act establishing a task force related to extending juvenile court jurisdiction in delinquency matters and proceedings to include persons under the age of twenty-one years.

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

## SUBCOMMITTEE ASSIGNMENTS

### Senate File 2227

STATE GOVERNMENT: Dvorsky, Chair; Dearden and Schultz

## FINAL COMMITTEE REPORTS OF BILL ACTION

### AGRICULTURE

**Bill Title:** \*SENATE FILE 2251 (formerly SF 2135), a bill for an act establishing a task force to study issues relating to anhydrous ammonia and including effective date provisions.

**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.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 2251, and they were attached to the committee report.

### COMMERCE

**Bill Title:** SENATE FILE 2253 (SSB 3148), a bill for an act relating to certain disclosure requirements for the transfer of real estate involving limited liability companies.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Petersen, McCoy, Allen, Bolcom, Courtney, Mathis, Schneider, Schoenjahn, Seng, and Soddors. Nays, 5: Anderson, Bertrand, Sinclair, Smith, and Zumbach. Absent, none.

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

**ALSO:**

**Bill Title:** SENATE FILE 2254 (formerly SF 2072), a bill for an act requiring certain group health insurance policies, contracts, or plans to provide coverage for autism spectrum disorders for certain persons, providing for a repeal, and including applicability and effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Petersen, McCoy, Anderson, Allen, Bertrand, Bolkcom, Courtney, Mathis, Schoenjahn, Seng, Smith, Soddors, and Zumbach. Nays, 2: Schneider and Sinclair. Absent, none.

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

**ALSO:**

**Bill Title:** SENATE FILE 2261 (formerly SF 2078), a bill for an act relating to and providing insurance coverage for medication synchronization.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Petersen, McCoy, Allen, Bolkcom, Courtney, Mathis, Schoenjahn, Seng, and Soddors. Nays, 6: Anderson, Bertrand, Schneider, Sinclair, Smith, and Zumbach. Absent, none.

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

**ECONOMIC GROWTH**

**Bill Title:** SENATE FILE 2257 (SSB 3153), a bill for an act concerning the issuance of bonds authorized by the Iowa finance authority relating to projects and bond issuers regardless of location.

**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 2258 (SSB 3114), a bill for an act concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims.

**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 2258, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2259 (SSB 3151), a bill for an act concerning treatment of a person with a serious mental impairment who fails to comply with an outpatient treatment order.

**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 2259, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2260 (formerly SF 2091), a bill for an act relating to disclosure of ownership and control information for nonprofit corporations under the Medicaid program.

**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 2260, and they were attached to the committee report.

## **JUDICIARY**

**Bill Title:** SENATE FILE 2262 (formerly SF 2166), a bill for an act relating to forfeiture of property for criminal offenses.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Sodders, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

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

**ALSO:**

**Bill Title:** SENATE FILE 2263 (SSB 3100), a bill for an act relating to clerks of court, including the collection of court debt, the filing of medical reports, and the indexing of notices of lis pendens by county recorders, out-of-state-witness mileage expenses, and including effective date and applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Sodders, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

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

**ALSO:**

**Bill Title:** SENATE FILE 2264 (SSB 3103), a bill for an act relating to guardians ad litem, attorneys for minor children, child custody investigators, and child and family reporters involved in child custody and visitation proceedings.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Sodders, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

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

**ALSO:**

**Bill Title:** SENATE FILE 2265 (SSB 3166), a bill for an act requiring the master list for juror service to be updated using an electronic data processing system annually and eliminating jury commissions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Sodders, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

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

**ALSO:**

**Bill Title:** SENATE FILE 2266 (formerly SF 2175), a bill for an act concerning employment prohibitions relating to receiving an annuity under the judicial retirement system.



**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Soddors, Hogg, Bisignano, Horn, Kinney, Petersen, Quirmbach, and Zaun. Nays, 5: Schneider, Garrett, Shipley, Taylor, and Whitver. Absent, none.

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

**ALSO:**

**Bill Title:** SENATE FILE 2267 (formerly SF 2173), a bill for an act relating to law enforcement profiling by standardizing the collection and centralizing the compilation and reporting of officer stop and complaint data, providing for officer training, creating a community policing advisory board, providing for penalties and remedies, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Soddors, Hogg, Bisignano, Horn, Kinney, Petersen, Quirmbach, and Zaun. Nays, 5: Schneider, Garrett, Shipley, Taylor, and Whitver. Absent, none.

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

**ALSO:**

**Bill Title:** \*SENATE FILE 2268 (SSB 3123), a bill for an act relating to the modification of the sex offender registry requirements for certain offenders.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Soddors, 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.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2268, and they were attached to the committee report.

**ALSO:**

**Bill Title:** SENATE FILE 2269 (formerly SF 2230), a bill for an act creating a community violence task force.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Soddors, 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.

**ALSO:**

**Bill Title:** \*SENATE FILE 2270 (formerly SF 2172), a bill for an act establishing a task force related to extending juvenile court jurisdiction in delinquency matters and proceedings to include persons under the age of twenty-one years.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Soddors, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, 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 Judiciary Committee on Senate File 2270, and they were attached to the committee report.

**LABOR AND BUSINESS RELATIONS**

**Bill Title:** \*SENATE FILE 2252 (formerly SF 313), a bill for an act requiring employers to provide reasonable accommodations to employees based on pregnancy or childbirth and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 7: Bisignano, Seng, Brase, Courtney, Dearden, Dotzler, and Soddors. Nays, 4: Shipley, 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 2252, and they were attached to the committee report.

**STATE GOVERNMENT**

**Bill Title:** SENATE FILE 2255 (formerly SF 2202), a bill for an act concerning department of administrative services' procedures regarding the designation of individuals as ineligible for state employment and sanctions for violations of competitive bidding procedures.

**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 2256 (SSB 3075), a bill for an act relating to voter registration by providing for the registration of eligible electors upon review of electronic records received from driver's license and nonoperator's identification card applications, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Danielson, Courtney, Bowman, Dearden, Dvorsky, Horn, McCoy, Petersen, and Schoenjahn. Nays, 6: Bertrand, Chapman, Feenstra, Johnson, Schultz, and Whitver. Absent, none.

**Fiscal Note:** 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 2256, and they were attached to the committee report.

### AFTERNOON SESSION

The Senate reconvened at 3:37 p.m., President Pro Tempore Sodders presiding.

### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Courtney, until he arrives, on request of Senator Gronstal; and Senator Feenstra, until he arrives, on request of Senator Dix.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2144, 2059, and 2061.

#### **Senate File 2144**

On motion of Senator Jochum, **Senate File 2144**, a bill for an act relating to the disclosure of behavioral health information for the purpose of patient care coordination, and including effective date provisions, was taken up for consideration.

Senator Jochum moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2144), the vote was:

Yeas, 47:

Allen	Dearden	Kapucian	Segebart
Anderson	Dix	Kinney	Seng
Behn	Dotzler	Kraayenbrink	Shipley
Bertrand	Dvorsky	Mathis	Sinclair
Bisignano	Garrett	McCoy	Smith
Bolkcom	Gronstal	Petersen	Sodders
Bowman	Guth	Quirmbach	Taylor
Brase	Hart	Ragan	Whitver
Breitbach	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach
Danielson	Johnson	Schultz	

Nays, 1:

Chapman

Absent, 2:

Courtney                      Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2059

On motion of Senator Taylor, **Senate File 2059**, 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, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2059), the vote was:

Yeas, 48:

Allen	Danielson	Johnson	Schultz
Anderson	Dearden	Kapucian	Segebart
Behn	Dix	Kinney	Seng
Bertrand	Dotzler	Kraayenbrink	Shipley
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Guth	Quirmbach	Taylor
Breitbach	Hart	Ragan	Whitver
Chapman	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Courtney                      Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2061

On motion of Senator Bisignano, **Senate File 2061**, a bill for an act relating to the legal representation of indigent persons in criminal proceedings, was taken up for consideration.

Senator Bisignano moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2061), the vote was:

Yeas, 48:

Allen	Danielson	Johnson	Schultz
Anderson	Dearden	Kapucian	Segebart
Behn	Dix	Kinney	Seng
Bertrand	Dotzler	Kraayenbrink	Shipley
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Guth	Quirmbach	Taylor

Breitbach	Hart	Ragan	Whitver
Chapman	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Courtney	Feenstra
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2059, 2061, and 2144** be **immediately messaged** to the House.

President Jochum took the chair at 3:50 p.m.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2102, 2110, 2111, and 2112.

#### **Senate File 2102**

On motion of Senator Allen, **Senate File 2102**, a bill for an act relating to access to the information program for drug prescribing and dispensing administered by the board of pharmacy, was taken up for consideration.

Senator Allen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2102), the vote was:

Yeas, 48:

Allen	Danielson	Johnson	Schultz
Anderson	Dearden	Kapucian	Segebart
Behn	Dix	Kinney	Seng

Bertrand	Dotzler	Kraayenbrink	Shipley
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Guth	Quirnbach	Taylor
Breitbach	Hart	Ragan	Whitver
Chapman	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Courtney                      Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2110

On motion of Senator Kinney, **Senate File 2110**, a bill for an act relating to persons examining and obtaining their own criminal history data, was taken up for consideration.

Senator Kinney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2110), the vote was:

Yeas, 48:

Allen	Danielson	Johnson	Schultz
Anderson	Dearden	Kapucian	Segebart
Behn	Dix	Kinney	Seng
Bertrand	Dotzler	Kraayenbrink	Shipley
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Guth	Quirnbach	Taylor
Breitbach	Hart	Ragan	Whitver
Chapman	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Courtney                      Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2111

On motion of Senator Sodders, **Senate File 2111**, a bill for an act providing that certain peace officers and law enforcement officials are not required to use a notarial stamp when administering oaths or acknowledging signatures, was taken up for consideration.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2111), the vote was:

Yeas, 48:

Allen	Danielson	Johnson	Schultz
Anderson	Dearden	Kapucian	Segebart
Behn	Dix	Kinney	Seng
Bertrand	Dotzler	Kraayenbrink	Shiple
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Guth	Quirnbach	Taylor
Breitbach	Hart	Ragan	Whitver
Chapman	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Courtney                      Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.



## Senate File 2112

On motion of Senator Hogg, **Senate File 2112**, a bill for an act relating to a fiduciary's access to digital assets and including applicability provisions, was taken up for consideration.

Senator Hogg offered amendment S-5006, filed by him on February 16, 2016, to page 5 of the bill, and moved its adoption.

Amendment S-5006 was adopted by a voice vote.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2112), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2102, 2110, 2111, and 2112** be **immediately messaged** to the House.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2115, 2116, 2136, and 2156.

**Senate File 2115**

On motion of Senator Sodders, **Senate File 2115**, a bill for an act creating the criminal offense of interference with official acts against a jailer, and providing penalties, was taken up for consideration.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2115), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2116

On motion of Senator Wilhelm, **Senate File 2116**, a bill for an act adding substances to schedule I of the controlled substance schedules, and providing penalties, was taken up for consideration.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2116), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiplee
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2136

On motion of Senator Taylor, **Senate File 2136**, a bill for an act requiring immunization against meningococcal disease for certain students, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2136), the vote was:

Yeas, 45:

Allen	Danielson	Kapucian	Shiple
Anderson	Dear	Kinney	Sinclair
Behn	Dix	Kraayenbrink	Smith
Bertrand	Dotzler	Mathis	Sodders
Bisignano	Dvorsky	McCoy	Taylor
Bolkcom	Garrett	Petersen	Whitver
Bowman	Gronstal	Quirmbach	Wilhelm
Brase	Hart	Ragan	Zaun
Breitbach	Hogg	Rozenboom	Zumbach
Chapman	Horn	Schneider	
Chelgren	Jochum	Schoenjahn	
Courtney	Johnson	Seng	

Nays, 4:

Costello	Guth	Schultz	Segebart
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Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2156

On motion of Senator McCoy, **Senate File 2156**, a bill for an act concerning reports of financial irregularities filed by the state auditor with a county attorney, was taken up for consideration.

Senator McCoy asked and received unanimous consent that **House File 2118** be **substituted** for **Senate File 2156**.

### House File 2118

On motion of Senator McCoy, **House File 2118**, a bill for an act concerning reports of financial irregularities filed by the state auditor with a county attorney, was taken up for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2118), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### WITHDRAWN

Senator McCoy asked and received unanimous consent that **Senate File 2156** be **withdrawn** from further consideration of the Senate.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2115, 2116, and 2136** and **House File 2118** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2154, 2009, 2158, and 2159.

## Senate File 2154

On motion of Senator Wilhelm, **Senate File 2154**, a bill for an act relating to the programs and duties of the economic development authority and including effective date provisions, was taken up for consideration.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2154), the vote was:

Yeas, 47:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bowman	Garrett	McCoy	Sodders
Brase	Gronstal	Petersen	Taylor
Breitbach	Guth	Ragan	Whitver
Chapman	Hart	Rozenboom	Wilhelm
Chelgren	Hogg	Schneider	Zaun
Costello	Horn	Schoenjahn	Zumbach
Courtney	Jochum	Schultz	

Nays, 2:

Bolkcom	Quirmbach
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Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2009

On motion of Senator Hart, **Senate File 2009**, a bill for an act expanding the statewide preschool program to include certain five-year-old children and including applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Hart offered amendment S-5016, filed by her from the floor to page 3 and amending the title page of the bill, and moved its adoption.

Amendment S-5016 was adopted by a voice vote.

With the adoption of amendment S-5016, the Chair ruled amendment S-5017, filed by Senator Chelgren from the floor, to page 3 and amending the title page of the bill, out of order.

Senator Hart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2009), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shipley
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

## Senate File 2158

On motion of Senator Quirmbach, **Senate File 2158**, a bill for an act relating to the placement of shorthand reporters in exempt status and to the supervision of the board of examiners of shorthand reporters, was taken up for consideration.

Senator Quirnbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2158), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shipley
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahr	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2159

On motion of Senator Wilhelm, **Senate File 2159**, a bill for an act relating to public health including public health modernization and boards of health, was taken up for consideration.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2159), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shipley
Behn	Dix	Kraayenbrink	Sinclair



Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2009, 2154, 2158, and 2159** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2181, 2188, and 2194.

#### **Senate File 2181**

On motion of Senator Dearden, **Senate File 2181**, a bill for an act relating to the funding and operation of programs to collect and dispose of household hazardous materials, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2181), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2188

On motion of Senator Bolkcom, **Senate File 2188**, a bill for an act relating to prescription authority for certain psychologists and making penalties applicable, was taken up for consideration.

Senator Dix asked and received unanimous consent that action on **Senate File 2188** be **deferred**.

### Senate File 2194

On motion of Senator Dearden, **Senate File 2194**, a bill for an act concerning administrative law judges appointed or employed by the public employment relations board, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2194), the vote was:

Yeas, 39:

Allen	Danielson	Jochum	Segebart
Anderson	Dearden	Johnson	Seng
Bertrand	Dix	Kinney	Shipley
Bisignano	Dotzler	Kraayenbrink	Smith
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Garrett	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Chelgren	Hart	Quirmbach	Wilhelm
Costello	Hogg	Ragan	Zumbach
Courtney	Horn	Schoenjahn	

Nays, 10:

Behn	Guth	Schneider	Zaun
Breitbach	Kapucian	Schultz	
Chapman	Rozenboom	Sinclair	

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2181** and **2194** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2162 and 2180.

#### **Senate File 2162**

On motion of Senator Bowman, **Senate File 2162**, a bill for an act providing for the use of an electronic filing system for administrative proceedings by the administrative hearings division of the department of inspections and appeals, was taken up for consideration.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2162), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2180

On motion of Senator Bolkcom, **Senate File 2180**, a bill for an act providing for the appointment of members of the general assembly to serve on the water resources coordinating council, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2180), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair

Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2162** and **2180** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:05 p.m. until 9:00 a.m., Tuesday, February 23, 2016.

### APPENDIX—2

#### REPORT OF COMMITTEE MEETING

##### EDUCATION

**Convened:** Monday, February 22, 2016, 2:40 p.m.

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

**Members Absent:** None.

**Committee Business:** Consideration of the appointments of Education Director Ryan Wise and Kathy Behrens of the Board of Educational Examiners.

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

## INTRODUCTION OF BILLS

**Senate File 2271**, by committee on Judiciary, a bill for an act relating to the criminal offense of identity theft, and providing penalties.

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

**Senate File 2272**, by committee on Judiciary, a bill for an act relating to continuum of care.

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

**Senate File 2273**, by committee on State Government, a bill for an act relating to licensure of home food establishments by raising the ceiling on gross annual sales for a home food establishment.

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

**Senate File 2274**, by committee on State Government, a bill for an act concerning the establishment of a process for the debarment of a person from entering into certain state contracts with a state agency.

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

**Senate File 2275**, by committee on State Government, a bill for an act exempting natural hair braiding from the definition of cosmetology.

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

**Senate File 2276**, by committee on Local Government, a bill for an act relating to the standards for land surveying, including requirements for recorded document formatting, monument preservation certificates, and retracement plats of survey.

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

**Senate File 2277**, by committee on Economic Growth, a bill for an act relating to the sources of goods or services under a franchise agreement.

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

**Senate File 2278**, by committee on Agriculture, a bill for an act providing for the administration of certain excise taxes imposed on the sale of cattle.

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

**Senate File 2279**, by committee on Commerce, a bill for an act relating to the credit union division and its regulatory matters.

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

**Senate File 2280**, by committee on Economic Growth, a bill for an act relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, making appropriations, and including transition provisions.

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

**Senate File 2281**, by committee on State Government, a bill for an act concerning investment of certain public funds in and public contracts with companies that boycott Israel.

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

**Senate File 2282**, by committee on Judiciary, a bill for an act relating to reinstatement of lapsed use restrictions within a common interest community.

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

**Senate File 2283**, by committee on Judiciary, a bill for an act 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.

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

**Senate File 2284**, by committee on Judiciary, a bill for an act modifying the elements defining hate crimes, and providing penalties.

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

**Senate File 2285**, by committee on Economic Growth, a bill for an act relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions.

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

**Senate File 2286**, by committee on Natural Resources and Environment, a bill for an act relating to the identification of owners of blinds and stands for hunting placed on public land and making penalties applicable.

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

**Senate File 2287**, by committee on State Government, a bill for an act relating to emergency response services by authorizing the establishment of benefited emergency response districts.

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

**Senate File 2288**, by committee on Judiciary, a bill for an act relating to the confidentiality of juvenile court records in delinquency proceedings.

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



## STUDY BILL RECEIVED

**SSB 3167 Appropriations**

Modifying allocations from the statutory allocations fund, creating the Iowa tanks fund and Iowa tanks fund financing program, repealing a tax credit, making transfers and appropriations, and including transition and effective date provisions.

## SUBCOMMITTEE ASSIGNMENT

**SSB 3167**

APPROPRIATIONS: Hogg, Chair; Bolkcom, Chapman, Dvorsky and Segebart

## FINAL COMMITTEE REPORTS OF BILL ACTION

**AGRICULTURE**

**Bill Title:** \*SENATE FILE 2278 (SSB 3131), a bill for an act providing for the administration of certain excise taxes imposed on the sale of cattle.

**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.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 2278, and they were attached to the committee report.

**COMMERCE**

**Bill Title:** SENATE FILE 502 (formerly SF 168 and SF 347), a bill for an act relating to the regulation of persons, including commercial establishments, keeping nonagricultural animals, providing for fees and appropriations, and making penalties applicable.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5013.

**Final Vote:** Ayes, 15: Petersen, McCoy, Anderson, Allen, Bertrand, Bolkcom, Courtney, Mathis, Schneider, Schoenjahn, Seng, Sinclair, Smith, Soddors, and Zumbach. Nays, none. Absent, none.

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

**ALSO:**

**Bill Title:** \*SENATE FILE 2279 (SSB 3018), a bill for an act relating to the credit union division and its regulatory matters.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Petersen, McCoy, Anderson, Allen, Bertrand, Bolkcom, Courtney, Mathis, Schneider, Schoenjahn, Seng, Sinclair, Smith, Soddors, and Zumbach. 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 Commerce Committee on Senate File 2279, and they were attached to the committee report.

**ECONOMIC GROWTH**

**Bill Title:** SENATE FILE 2277 (formerly SF 2084), a bill for an act relating to the sources of goods or services under a franchise agreement.

**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.

**ALSO:**

**Bill Title:** \*SENATE FILE 2280 (SSB 3094), a bill for an act relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, making appropriations, and including transition provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Hart, Soddors, Chelgren, Anderson, Bisignano, Breitbach, Chapman, Danielson, Dotzler, Guth, Mathis, Schneider, Taylor, and Wilhelm. Nays, none. Absent, none. Present, 1: Bowman.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on Senate File 2280, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2285 (SSB 3001), a bill for an act relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other 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.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on Senate File 2285, and they were attached to the committee report.

**JUDICIARY**

**Bill Title:** SENATE FILE 2271 (SSB 3122), a bill for an act relating to the criminal offense of identity theft, and providing penalties.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Soddors, 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.

**ALSO:**

**Bill Title:** \*SENATE FILE 2272 (SSB 3053), a bill for an act relating to continuum of care.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Soddors, Hogg, Bisignano, Horn, Kinney, Petersen, Quirmbach, and Zaun. Nays, 5: Schneider, Garrett, Shipley, Taylor, 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 Judiciary Committee on Senate File 2272, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2282 (formerly SF 2012), a bill for an act relating to reinstatement of lapsed use restrictions within a common interest community.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Sodders, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, 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 Judiciary Committee on Senate File 2282, and they were attached to the committee report.

**ALSO:**

**Bill Title:** SENATE FILE 2283 (SSB 3141), a bill for an act 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.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Sodders, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, and Zaun. Nays, none. Absent, none.

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

**ALSO:**

**Bill Title:** \*SENATE FILE 2284 (formerly SF 2120), a bill for an act modifying the elements defining hate crimes, and providing penalties.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Sodders, Hogg, Schneider, Bisignano, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, and Zaun. Nays, 1: Garrett. 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 Judiciary Committee on Senate File 2284, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2288 (formerly SF 2070), a bill for an act relating to the confidentiality of juvenile court records in delinquency proceedings.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Sodders, Hogg, Schneider, Bisignano, Garrett, Horn, Kinney, Petersen, Quirnbach, Shipley, Taylor, Whitver, 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 Judiciary Committee on Senate File 2288, and they were attached to the committee report.

## LOCAL GOVERNMENT

**Bill Title:** \*SENATE FILE 2276 (SSB 3150), a bill for an act relating to the standards for land surveying, including requirements for recorded document formatting, monument preservation certificates, and retracement plats of survey.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Taylor, Wilhelm, Smith, Allen, Bisignano, Brase, Breitbach, Guth, Hart, Quirnbach, and Sinclair. 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 Local Government Committee on Senate File 2276, and they were attached to the committee report.

## NATURAL RESOURCES AND ENVIRONMENT

**Bill Title:** \*SENATE FILE 2286 (formerly SF 2003), a bill for an act relating to the identification of owners of blinds and stands for hunting placed on public land and making penalties applicable.

**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.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on Senate File 2286, and they were attached to the committee report.

## STATE GOVERNMENT

**Bill Title:** SENATE FILE 2273 (formerly SF 2036), a bill for an act relating to licensure of home food establishments by raising the ceiling on gross annual sales for a home food establishment.

**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 2274 (formerly SF 2127), a bill for an act concerning the establishment of a process for the debarment of a person from entering into certain state contracts with a state agency.

**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 2274, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2275 (formerly SF 2013), a bill for an act exempting natural hair braiding from the definition of cosmetology.

**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 2275, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2281 (SSB 3087), a bill for an act concerning investment of certain public funds in and public contracts with companies that boycott Israel.

**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 2281, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2287 (SSB 3158), a bill for an act relating to emergency response services by authorizing the establishment of benefited emergency response districts.

**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 2287, and they were attached to the committee report.

**ALSO:**

**Bill Title:** HOUSE FILE 2147, a bill for an act relating to absentee voting by uniformed and overseas citizens.

**Recommendation:** DO PASS.

**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:

### EDUCATION

Kathy Behrens – Board of Educational Examiners

**LOCAL GOVERNMENT**

David Farmer – County Finance Committee

**GOVERNOR'S APPOINTEES PLACED ON  
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointees, assigned to standing committee for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

**JUDICIARY**

Kristin Johnson – Director of the Iowa State Civil Rights Commission

Judy Bradshaw – Director of Law Enforcement Academy

**REFERRAL TO INDIVIDUAL CONFIRMATION CALENDAR**

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Mary Gannon to Public Employment Relations Board be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”.

KEVIN KINNEY

**AMENDMENTS FILED**

S-5011	S.F.	2151	Jeff Danielson
S-5012	S.F.	2145	Pam Jochum
S-5013	S.F.	502	Commerce
S-5014	S.F.	2224	Joe Bolkcom
S-5015	S.F.	2283	Judiciary
S-5016	S.F.	2009	Rita Hart
S-5017	S.F.	2009	Mark Chelgren
S-5018	S.F.	2231	Robert E. Dvorsky
S-5019	S.F.	2244	Herman C. Quirmbach



# JOURNAL OF THE SENATE

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FORTY-FOURTH CALENDAR DAY  
TWENTY-SIXTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, February 23, 2016

The Senate met in regular session at 9:06 a.m., President Jochum presiding.

Prayer was offered by Reverend Chad Jennings, pastor of Christ United Methodist Church in Robbins, Iowa. He was the guest of Senator Mathis.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Emily Turek.

The Journal of Monday, February 22, 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 February 22, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2146**, a bill for an act authorizing the dispensing of lottery tickets and products by self-service kiosks, and including effective date provisions.

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

**House File 2261**, a bill for an act authorizing political subdivisions to invest in certain joint investment trusts that are operated in accordance with the governmental accounting standards board.

Read first time and referred to committee on **Commerce**.

**House File 2262**, a bill for an act allowing fishing without a license on certain private lakes and ponds and providing a penalty.

Read first time and referred to committee on **Natural Resources**.

**House File 2266**, a bill for an act concerning unclaimed cremated remains.

Read first time and referred to committee on **Veterans Affairs**.

**House File 2267**, a bill for an act related to civil service employees by providing cities with the authority to eliminate state residency requirements and modifying a city's authority to set distance or travel-based residency requirements.

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

**House File 2270**, 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 and attached to **companion Senate File 2062**.

**House File 2273**, a bill for an act relating to elections administration with respect to the address confidentiality program, the printing of ballots, satellite absentee voting, and the conduct of school district elections.

Read first time and attached to **similar Senate File 2157**.

**House File 2274**, a bill for an act concerning documentation of age for purposes of obtaining a child labor permit.

Read first time and referred to committee on **Labor and Business Relations**.

**House File 2275**, a bill for an act relating to the disbursement of all Iowa opportunity scholarships.

Read first time and referred to committee on **Education**.

**House File 2282**, a bill for an act relating to the appointment of a guardian ad litem in an adoption proceeding.

Read first time and attached to **companion Senate File 2060**.

#### BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate File 2280** be referred from the Regular Calendar to the committee on **Appropriations**; and that **Senate File 2285** be referred from the Regular Calendar to the committee on **Ways and Means**.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 9:40 a.m. until 11:00 a.m.

#### RECONVENED

The Senate reconvened at 11:05 a.m., Senator Courtney presiding.

#### INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Judy Bradshaw, the governor's appointee to be the Director of the Law Enforcement Academy. She was the guest of Senators Petersen, Soddors, and Zaun.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bertrand, until he arrives, on request of Senator Dix.

## CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

David Farmer, County Finance Committee

Nathaniel Garrels, Commission of Deaf Services

Kathy Behrens, Board of Educational Examiners

Donald Hansen, Plumbing and Mechanical Systems Examining Board

George Belitsos, Commission on Tobacco Use Prevention and Control

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2145, 2183, and 2189.

#### **Senate File 2145**

On motion of Senator Jochum, **Senate File 2145**, a bill for an act relating to speech therapy benefits for children under Medicaid managed care and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Jochum offered amendment S-5012, filed by her on February 22, 2016, to pages 1-3 and amending the title page of the bill, and moved its adoption.

Amendment S-5012 was adopted by a voice vote.

Senator Jochum moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2145), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm

Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### Senate File 2183

On motion of Senator Kinney, **Senate File 2183**, a bill for an act relating to the limitations on criminal actions for the criminal offense of child endangerment, was taken up for consideration.

Senator Kinney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2183), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2189

On motion of Senator Shipley, **Senate File 2189**, a bill for an act relating to nonsubstantive Code corrections, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2189), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2145, 2183, and 2189** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2191, 2195, and 2196.

## Senate File 2191

On motion of Senator Kinney, **Senate File 2191**, a bill for an act establishing an office within the department of public safety to oversee efforts to combat human trafficking, was taken up for consideration.

Senator Kinney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2191), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2195

On motion of Senator Mathis, **Senate File 2195**, a bill for an act requiring that human growth and development instruction by school boards include age-appropriate information regarding dating violence and prevention, was taken up for consideration.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.



On the question "Shall the bill pass?" (S.F. 2195), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2196

On motion of Senator Quirmbach, **Senate File 2196**, a bill for an act relating to reading and literacy requirements for practitioner preparation programs, was taken up for consideration.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2196), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm

Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2191, 2195, and 2196** be **immediately messaged** to the House.

### RECESS

On motion of Senator Gronstal, the Senate recessed at 11:58 a.m. until 3:00 p.m.

## APPENDIX—1

### INTRODUCTION OF RESOLUTION

**Senate Resolution 103**, by Bisignano, a resolution commemorating the 25th anniversary of the conclusion of Operation Desert Shield/Desert Storm.

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

### INTRODUCTION OF BILLS

**Senate File 2289**, by committee on Judiciary, a bill for an act prohibiting the mistreatment of animals other than livestock and wild animals, providing reporting requirements, providing for criminal offenses, and including penalties.

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

**Senate File 2290**, by committee on Natural Resources and Environment, a bill for an act relating to incidents involving pesticide contamination, including by providing for reporting, testing, and analysis.

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

**Senate File 2291**, by committee on Commerce, a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties and applicability dates.

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

**Senate File 2292**, by Zaun, a bill for an act reducing the state inheritance tax rates and providing for the future repeal of the state inheritance tax and state qualified use inheritance tax.

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

**Senate File 2293**, by Zaun, a bill for an act creating an exemption from the computation of the individual income tax of certain amounts of retirement income and including applicability provisions.

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

## SUBCOMMITTEE ASSIGNMENTS

### **Senate File 2182**

APPROPRIATIONS: Dvorsky, Chair; Bolkcom and Rozenboom

### **Senate File 2246**

APPROPRIATIONS: Dvorsky, Chair; Schneider and Wilhelm

### **House File 2262**

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

## FINAL COMMITTEE REPORTS OF BILL ACTION

**COMMERCE**

**Bill Title:** \*SENATE FILE 2291 (SSB 3019), a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties and applicability dates.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Petersen, McCoy, Anderson, Allen, Bertrand, Bolkom, Courtney, Mathis, Schneider, Schoenjahn, Seng, Sinclair, Smith, Soddors, and Zumbach. 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 Commerce Committee on Senate File 2291, and they were attached to the committee report.

**JUDICIARY**

**Bill Title:** \*SENATE FILE 2289 (formerly SF 2138), a bill for an act prohibiting the mistreatment of animals other than livestock and wild animals, providing reporting requirements, providing for criminal offenses, and including penalties.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Soddors, 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.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2289, and they were attached to the committee report.

**NATURAL RESOURCES AND ENVIRONMENT**

**Bill Title:** \*SENATE FILE 2290 (SSB 3125), a bill for an act relating to incidents involving pesticide contamination, including by providing for reporting, testing, and analysis.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Dearden, Brase, Bolkom, Kinney, Petersen, Ragan, Schoenjahn, and Seng. Nays, 5: Rozenboom, Behn, Johnson, Shipley, 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 Natural Resources and Environment Committee on Senate File 2290, and they were attached to the committee report.

### AFTERNOON SESSION

The Senate reconvened at 3:03 p.m., President Jochum presiding.

### 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 February 23, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2279**, a bill for an act relating to possessing and transferring firearm suppressors, providing penalties, and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

**House File 2280**, a bill for an act relating to the regulation of firearms and ammunition in a state of public emergency and providing a remedy.

Read first time and referred to committee on **Judiciary**.

**House File 2281**, a bill for an act relating to the possession of a pistol, revolver, or ammunition by persons under fourteen years of age, and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

**House File 2283**, a bill for an act relating to carrying a firearm while operating or riding on a snowmobile or an all-terrain vehicle.

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

**House File 2314**, a bill for an act relating to the issuance and verification of, and the transfer of records concerning permits to carry weapons and the confidentiality of such records including the confidentiality of records for such permits and for permits to acquire pistols or revolvers, prohibiting fraudulent transfers of firearms and ammunition, providing for a fee and a penalty, and including effective date and applicability provisions.

Read first time and referred to committee on **Judiciary**.

The Senate stood at ease at 3:05 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:45 p.m., President Jochum presiding.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2164, 2197, 2198, and 2200.

#### **Senate File 2164**

On motion of Senator Taylor, **Senate File 2164**, a bill for an act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered, and including applicability provisions, was taken up for consideration.

Senator Chelgren asked and received unanimous consent that action on **Senate File 2164** be **deferred**.

#### **Senate File 2197**

On motion of Senator Ragan, **Senate File 2197**, a bill for an act relating to the membership of the medical assistance advisory council and executive committee, was taken up for consideration.

Senator Ragan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2197), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Soddors
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2198

On motion of Senator Danielson, **Senate File 2198**, a bill for an act relating to the use of experimental treatments for patients with a terminal illness, was taken up for consideration.

Senator Danielson offered amendment S-5010, filed by him on February 18, 2016, to pages 1 and 4 of the bill, and moved its adoption.

Amendment S-5010 was adopted by a voice vote.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2198), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2200

On motion of Senator Wilhelm, **Senate File 2200**, a bill for an act concerning instruction provided through the Iowa learning online initiative, was taken up for consideration.

Senator Chelgren offered amendment S-5022, filed by Senator Chelgren, et al., from the floor to page 1 and amending the title page of the bill.

Senator Wilhelm raised the point of order that amendment S-5022 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5022 out of order.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.



On the question “Shall the bill pass?” (S.F. 2200), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## BUSINESS PENDING

### Senate File 2164

The Senate resumed consideration of **Senate File 2164**, a bill for an act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered, and including applicability provisions, previously deferred.

Senator Chelgren withdrew amendment S-5024, filed by him from the floor to page 1 of the bill.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2164), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2205, 2214, and 2217.

#### **Senate File 2205**

On motion of Senator Sinclair, **Senate File 2205**, a bill for an act relating to varsity interscholastic athletic contests and athletic competitions eligibility limitations for pupils who participate in open enrollment, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Sinclair moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2205), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2214

On motion of Senator Bolkcom, **Senate File 2214**, a bill for an act relating to the dispensing of additional quantities of a prescription within the limitations of the prescription, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2214), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver

Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2217

On motion of Senator Hart, **Senate File 2217**, a bill for an act relating to the definition of child abuse and to mandatory reporting training to recognize and report incidents of human trafficking involving minors, and making penalties applicable, was taken up for consideration.

Senator Hart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2217), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2164, 2197, 2198, 2200, 2205, 2214, and 2217** be **immediately messaged** to the House.

The Senate stood at ease at 4:30 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 4:44 p.m., President Jochum presiding.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2231, 2232, 2233, and 2234.

**Senate File 2231**

On motion of Senator Dvorsky, **Senate File 2231**, a bill for an act relating to disaster aid payment authorization requirements under specified circumstances, was taken up for consideration.

Senator Dvorsky offered amendment S-5018, filed by him on February 22, 2016, to page 1 of the bill, and moved its adoption.

Amendment S-5018 was adopted by a voice vote.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2231), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders

Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2232

On motion of Senator Quirmbach, **Senate File 2232**, a bill for an act relating to redemption by certain persons of parcels sold at tax sale, was taken up for consideration.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2232), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2233

On motion of Senator Sodders, **Senate File 2233**, a bill for an act creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty, was taken up for consideration.

Senator Sodders offered amendment S-5020, filed by him from the floor to page 13 of the bill, and moved its adoption.

Amendment S-5020 was adopted by a voice vote.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2233), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2234

On motion of Senator Kinney, **Senate File 2234**, a bill for an act relating to the credit hours of educational assistance under the national guard educational assistance program, was taken up for consideration.

Senator Kinney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2234), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2231, 2232, 2233, and 2234** be **immediately messaged** to the House.

#### 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 February 23, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2168**, a bill for an act modifying penalties for trespassing.

Read first time and referred to committee on **Judiciary**.



**House File 2268**, a bill for an act concerning the confidentiality of public employee support information submitted to the public employment relations board.

Read first time and referred to committee on **Labor and Business Relations**.

**House File 2311**, a bill for an act relating to the regulation of automated traffic law enforcement systems.

Read first time and referred to committee on **Transportation**.

**House File 2312**, a bill for an act relating to permissible uses of supplemental aid for professional development paid to school districts and area education agencies under the state school foundation program.

Read first time and referred to committee on **Education**.

**House File 2326**, 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 and attached to **companion Senate File 2150**.

**House File 2331**, a bill for an act concerning investment of certain public funds in and public contracts with companies that boycott Israel.

Read first time and attached to **companion Senate File 2281**.

**House File 2335**, 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 and attached to **companion Senate File 2184**.

**House File 2337**, a bill for an act relating to peace officer personal information under the control of local officials and including effective date provisions.

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

**House File 2344**, a bill for an act requiring that agreements to terminate farm tenancies be in writing.

Read first time and attached to **companion Senate File 2249**.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:04 p.m. until 9:00 a.m., Wednesday, February 24, 2016.

## APPENDIX—2

### CERTIFICATE OF RECOGNITION

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

City of Tripoli and its citizens—For their dedication of the Sweet Water Bike/Walk Trail as part of the Iowa Living Roadways Community Visioning Program. Senator Schoenjahn.

### REPORTS OF COMMITTEE MEETINGS

#### EDUCATION

**Convened:** Tuesday, February 23, 2016, 2:50 p.m.

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

**Members Absent:** None.

**Committee Business:** Consideration of the appointment of Dr. Ryan Wise, Director of the Department of Education.

**Adjourned:** 2:55 p.m.

**JUDICIARY**

**Convened:** Tuesday, February 23, 2016, 1:10 p.m.

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

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

**Committee Business:** Presentation by the Director of the Iowa Law Enforcement Academy, Judy Bradshaw.

**Adjourned:** 1:35 p.m.

**JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Tuesday, February 23, 2016, 10:10 a.m.

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

**Members Absent:** None.

**Committee Business:** Presentation by the Director of the Iowa Law Enforcement Academy, Judy Bradshaw.

**Adjourned:** 10:50 a.m.

**INTRODUCTION OF RESOLUTION**

**Senate Resolution 104**, by Sodders, a resolution requesting the legislative council to establish an interim study committee to study the impacts of mandatory dual language immersion programs in school districts.

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

**INTRODUCTION OF BILLS**

**Senate File 2294**, by Bolkom, a bill for an act relating to the establishment of energy districts.

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

**Senate File 2295**, by McCoy and Schneider, a bill for an act exempting from the computation of net income for the individual income tax the net capital gain from the sale or exchange of qualified capital stock and including applicability provisions.

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

## SUBCOMMITTEE ASSIGNMENTS

### **Senate File 398**

APPROPRIATIONS: Dotzler, Chair; Bisignano, Chapman, Dvorsky and Schneider

### **Senate File 2212**

WAYS AND MEANS: Dotzler, Chair; Allen and Feenstra

### **Senate File 2223**

WAYS AND MEANS: Hogg, Chair; Allen and Breitbach

### **Senate File 2236**

WAYS AND MEANS: Bolkcom, Chair; Petersen and Schultz

### **Senate File 2237**

APPROPRIATIONS: Schoenjahn, Chair; Kraayenbrink and Mathis

### **Senate File 2241**

APPROPRIATIONS: Danielson, Chair; Chapman and Dvorsky

### **Senate File 2285**

WAYS AND MEANS: Dotzler, Chair; Bolkcom and Smith

### **House File 2266**

VETERANS AFFAIRS: Allen, Chair; Hart and Segebart

### **House File 2275**

EDUCATION: Quirmbach, Chair; Schoenjahn and Sinclair

## PRESENTATION OF VISITORS

Senators Bowman, Breitbach, and Jochum welcomed the following visitors who were present in the northeast Senate gallery:

26 students of social work from Loras College in Dubuque, Iowa, accompanied by Michelle Bechen, Associate Professor of Social Work.

## EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on Tuesday, February 23, 2016, when the vote was taken on the En Bloc Confirmation Calendar. Had I been present, I would have voted YEA.

RICK BERTRAND

## GOVERNOR'S APPOINTEE PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

### EDUCATION

Dr. Ryan Wise – Director of the Department of Education

### AMENDMENTS FILED

S-5020	S.F.	2233	Steven J. Soddors
S-5021	S.F.	2155	Jeff Danielson
S-5022	S.F.	2200	Mark Chelgren Brad Zaun Jason Schultz Jerry Behn Dennis Guth Michael Breitbach Randy Feenstra Jack Whitver Ken Rozenboom Amy Sinclair
S-5023	S.F.	2218	Joe Bolkcom
S-5024	S.F.	2164	Mark Chelgren

# JOURNAL OF THE SENATE

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FORTY-FIFTH CALENDAR DAY  
TWENTY-SEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, February 24, 2016

The Senate met in regular session at 9:06 a.m., President Jochum presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by IJAG students; Trevor Collins from North High School in Des Moines, Iowa and Brooklynn Johnson from Lincoln High School in Des Moines, Iowa.

The Journal of Tuesday, February 23, 2016, was approved.

## BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate File 2290** be referred from the Regular Calendar to the committee on **Appropriations**.

The Senate stood at ease at 9:20 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:44 a.m., President Jochum presiding.

## CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2109 and 2155.

## Senate File 2109

On motion of Senator Dvorsky, **Senate File 2109**, a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions, was taken up for consideration.

Senator Chelgren offered amendment S-5027, filed by him from the floor to pages 1-3 of the bill, and moved its adoption.

Amendment S-5027 lost by a voice vote.

Senator Danielson offered amendment S-5026, filed by him from the floor to page 3 of the bill.

(Senate File 2109 and amendment S-5026 were deferred.)

The Senate stood at ease at 10:59 a.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 11:15 a.m., President Jochum presiding.

The Senate resumed consideration of Senate File 2109 and amendment S-5026, previously deferred.

Senator Chapman raised the point of order that amendment S-5026 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5026 out of order.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2109), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor

Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	

Nays, 24:

Anderson	Costello	Kapucian	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2155

On motion of Senator Danielson, **Senate File 2155**, a bill for an act creating a statewide land mobile radio communications system fund, making an appropriation, and including effective date provisions, was taken up for consideration.

Senator Danielson withdrew amendment S-5021, filed by him on February 23, 2016, striking and replacing everything after the enacting clause of the bill.

Senator Danielson offered amendment S-5025, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5025 was adopted by a voice vote.

With the adoption of amendment S-5025, the Chair ruled amendment S-5008, filed by Senator Danielson on February 16, 2016, to page 1 of the bill, out of order.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.



On the question “Shall the bill pass?” (S.F. 2155), the vote was:

Yeas, 30:

Allen	Courtney	Horn	Ragan
Anderson	Danielson	Jochum	Schoenjahn
Bertrand	Dearden	Kapucian	Seng
Bisignano	Dotzler	Kinney	Sodders
Bolkcom	Dvorsky	Mathis	Taylor
Bowman	Gronstal	McCoy	Wilhelm
Brase	Hart	Petersen	
Chelgren	Hogg	Quirmbach	

Nays, 20:

Behn	Feenstra	Rozenboom	Sinclair
Breitbach	Garrett	Schneider	Smith
Chapman	Guth	Schultz	Whitver
Costello	Johnson	Segebart	Zaun
Dix	Kraayenbrink	Shipley	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2185, 2221, and 2224.

### Senate File 2185

On motion of Senator Kinney, **Senate File 2185**, 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, was taken up for consideration.

Senator Kinney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2185), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2221

On motion of Senator McCoy, **Senate File 2221**, a bill for an act relating to public utilities and sanitary sewage or storm water drainage disposal system providers, was taken up for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2221), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm

Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2224

On motion of Senator McCoy, **Senate File 2224**, a bill for an act relating to the overtaking and passing of bicyclists by motor vehicles, and applying existing penalties, was taken up for consideration.

Senator Bolkom offered amendment S-5014, filed by him on February 22, 2016, to page 1 and amending the title page of the bill.

Senator Chapman raised the point of order that amendment S-5014 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5014 out of order.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2224), the vote was:

Yeas, 38:

Allen	Dearden	Johnson	Schoenjahn
Anderson	Dotzler	Kapucian	Segebart
Bertrand	Dvorsky	Kinney	Seng
Bolkom	Feenstra	Kraayenbrink	Shipley
Bowman	Garrett	Mathis	Sinclair
Brase	Gronstal	McCoy	Smith
Chelgren	Hart	Petersen	Sodders
Costello	Hogg	Quirmbach	Wilhelm
Courtney	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, 12:

Behn	Chapman	Schneider	Whitver
Bisignano	Dix	Schultz	Zaun
Breitbach	Guth	Taylor	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2109, 2155, 2185, 2221, and 2224** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2242 and 2247.

#### **Senate File 2242**

On motion of Senator Dearden, **Senate File 2242**, 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, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2242), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor

Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2247

On motion of Senator Bowman, **Senate File 2247**, a bill for an act relating to the use of licenses and advertisements by motor vehicle dealers and wholesalers, and making penalties applicable, was taken up for consideration.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2247), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2242** and **2247** be **immediately messaged** to the House.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2244.

**Senate File 2244**

On motion of Senator Quirmbach, **Senate File 2244**, a bill for an act relating to persons with disabilities registration plates for motor vehicles owned by irrevocable trusts, was taken up for consideration.

Senator Quirmbach offered amendment S-5019, filed by him on February 22, 2016, to pages 1 and 2 and amending the title page of the bill, and moved its adoption.

Amendment S-5019 was adopted by a voice vote.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2244), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

**CONSIDERATION OF RESOLUTIONS**  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 2006 and 2007.

**Senate Joint Resolution 2006**

On motion of Senator Schoenjahn, **Senate Joint Resolution 2006**, a joint resolution nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions, was taken up for consideration.

**Senate Joint Resolution 2006**, a joint resolution nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions.

**BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:**

Section 1. 282 Iowa administrative code, rule 14.2, subrules 10 and 11, are nullified.

Sec. 2. **EFFECTIVE DATE.** This joint resolution, being deemed of immediate importance, takes effect upon enactment.

Senator Schoenjahn moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the resolution was read the last time.

On the question "Shall the resolution be adopted?" (S.J.R. 2006), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley

Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The senate joint resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

### **Senate Joint Resolution 2007**

On motion of Senator Schoenjahn, **Senate Joint Resolution 2007**, a joint resolution nullifying administrative rules increasing fees assessed by the board of educational examiners and including effective date provisions, was taken up for consideration.

**Senate Joint Resolution 2007**, a joint resolution nullifying administrative rules increasing fees assessed by the board of educational examiners and including effective date provisions.

**BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:**

Section 1. The amendments to 282 Iowa administrative code, chapter 12, as appearing in ARC 2229C, as published in the Iowa administrative bulletin, volume XXXVIII, number 10, dated November 11, 2015, pp. 804–805, are nullified.

Sec. 2. **EFFECTIVE DATE.** This joint resolution, being deemed of immediate importance, takes effect upon enactment.

Senator Schoenjahn moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the resolution was read the last time.



On the question “Shall the resolution be adopted?” (S.J.R. 2007), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The senate joint resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Joint Resolutions 2006** and **2007** and **Senate File 2244** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:05 p.m. until 9:00 a.m., Thursday, February 25, 2016.

## APPENDIX

### CERTIFICATE OF RECOGNITION

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

Max Lyon, Dyersville—For being named State Wrestling Tournament Champion. Senator Bowman.

### SUBCOMMITTEE ASSIGNMENTS

#### Senate File 2210

JUDICIARY: Horn, Chair; Garrett and Sadders

#### Senate File 2211

JUDICIARY: Horn, Chair; Garrett and Sadders

#### Senate File 2220

JUDICIARY: Hogg, Chair; Schneider and Sadders

#### Senate File 2292

WAYS AND MEANS: Quirnbach, Chair; Anderson and Bolkcom

#### Senate File 2293

WAYS AND MEANS: Quirnbach, Chair; Anderson and Bolkcom

#### Senate File 2295

WAYS AND MEANS: Bolkcom, Chair; Feenstra and Quirnbach

#### House File 2146

STATE GOVERNMENT: McCoy, Chair; Bowman and Chapman

#### House File 2168

JUDICIARY: Horn, Chair; Garrett and Sadders

#### House File 2261

COMMERCE: Bolkcom, Chair; Allen and Zumbach

**House File 2279**

JUDICIARY: Sodders, Chair; Kinney and Zaun

**House File 2280**

JUDICIARY: Horn, Chair; Sodders and Whitver

**House File 2281**

JUDICIARY: Petersen, Chair; Quirnbach and Whitver

**House File 2283**

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

**House File 2312**

EDUCATION: Schoenjahn, Chair; Dvorsky and Schultz

**House File 2314**

JUDICIARY: Sodders, Chair; Kinney and Zaun

**AMENDMENTS FILED**

S-5025	S.F.	2155	Jeff Danielson
S-5026	S.F.	2109	Jeff Danielson
S-5027	S.F.	2109	Mark Chelgren
S-5028	S.F.	2163	Brian Schoenjahn
S-5029	S.F.	2257	Tony Bisignano
S-5030	S.F.	2288	Janet Petersen

# JOURNAL OF THE SENATE

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FORTY-SIXTH CALENDAR DAY  
TWENTY-EIGHTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, February 25, 2016

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

Prayer was offered by Father Dave Fleming of St. Pious Catholic Church in Urbandale, Iowa. He was the guest of Senator Zaun.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Hannah Dettmann.

The Journal of Wednesday, February 24, 2016, was approved.

## INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Dr. Ryan Wise, the governor's appointee to be the Director of the Department of Education. He was the guest of Senators Kraayenbrink and Quirnbach and the committee on Education.

## 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 February 24, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2263**, a bill for an act relating to disciplinary actions taken against a licensed school employee that are required to be reported to the board of educational examiners.

Read first time and referred to committee on **Education**.

**House File 2264**, a bill for an act concerning varsity athletics eligibility of students in open enrollment subjected to harassment or bullying.

Read first time and referred to committee on **Education**.

**House File 2271**, a bill for an act relating to the criminal offense of identity theft, and providing penalties.

Read first time and attached to **companion Senate File 2271**.

**House File 2277**, a bill for an act relating to utility facilities of electric transmission owners within public road rights-of-way.

Read first time and attached to **companion Senate File 2216**.

**House File 2356**, a bill for an act providing for the towing of certain implements of husbandry in tandem among manufacturers, retail sellers, and farm purchasers.

Read first time and referred to committee on **Transportation**.

**House File 2373**, a bill for an act relating to the organization and administration of limited partnerships and limited liability companies doing business in Iowa.

Read first time and referred to committee on **Judiciary**.

The Senate stood at ease at 9:14 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:32 a.m., President Jochum presiding.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dix and Sinclair, until they arrive, on request of Senator Whitver.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Bolkcom asked and received unanimous consent to take up for consideration Senate Files 2151, 2163, 2216, and 2254.

## Senate File 2151

On motion of Senator Schoenjahn, **Senate File 2151**, 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, was taken up for consideration.

Senator Danielson withdrew amendment S-5011, filed by him on February 22, 2016, to page 7 and amending the title page of the bill.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2151), the vote was:

Yeas, 44:

Allen	Courtney	Horn	Schoenjahn
Anderson	Danielson	Jochum	Schultz
Behn	Dearden	Kapucian	Seng
Bertrand	Dotzler	Kinney	Shipley
Bisignano	Dvorsky	Kraayenbrink	Smith
Bolkcom	Feenstra	Mathis	Sodders
Bowman	Garrett	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Guth	Quirnbach	Wilhelm
Chapman	Hart	Ragan	Zaun
Chelgren	Hogg	Schneider	Zumbach

Nays, 4:

Costello	Johnson	Rozenboom	Segebart
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Absent, 2:

Dix	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2163

On motion of Senator Schoenjahn, **Senate File 2163**, a bill for an act relating to licensing fees collected by the board of educational examiners, nullifying related administrative rules, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Schoenjahn offered amendment S-5028, filed by him on February 24, 2016, to page 1 of the bill, and moved its adoption.

Amendment S-5028 was adopted by a voice vote.

Senator Chelgren offered amendment S-5033, filed by him from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5033 be adopted?" (S.F. 2163), the vote was:

Yeas, 23:

Anderson	Chelgren	Kapucian	Shipley
Behn	Costello	Kraayenbrink	Smith
Bertrand	Feenstra	Rozenboom	Whitver
Bowman	Garrett	Schneider	Zaun
Breitbach	Guth	Schultz	Zumbach
Chapman	Johnson	Segebart	

Nays, 25:

Allen	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Mathis	Sodders
Bolkcom	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	
Dearden	Jochum	Schoenjahn	

Absent, 2:

Dix	Sinclair
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Amendment S-5033 lost.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2163), the vote was:

Yeas, 48:

Allen	Courtney	Jochum	Schoenjahn
Anderson	Danielson	Johnson	Schultz
Behn	Dearden	Kapucian	Segebart

Bertrand	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Smith
Bowman	Garrett	McCoy	Sodders
Brase	Gronstal	Petersen	Taylor
Breitbach	Guth	Quirmbach	Whitver
Chapman	Hart	Ragan	Wilhelm
Chelgren	Hogg	Rozenboom	Zaun
Costello	Horn	Schneider	Zumbach

Nays, none.

Absent, 2:

Dix                      Sinclair

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2216

On motion of Senator Allen, **Senate File 2216**, a bill for an act relating to utility facilities of electric transmission owners within public road rights-of-way, was taken up for consideration.

Senator Allen asked and received unanimous consent that **House File 2277** be **substituted** for **Senate File 2216**.

### House File 2277

On motion of Senator Allen, **House File 2277**, a bill for an act relating to utility facilities of electric transmission owners within public road rights-of-way, was taken up for consideration.

Senator Allen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2277), the vote was:

Yeas, 48:

Allen	Courtney	Jochum	Schoenjahn
Anderson	Danielson	Johnson	Schultz
Behn	Dearden	Kapucian	Segebart
Bertrand	Dotzler	Kinney	Seng



Bisignano	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Smith
Bowman	Garrett	McCoy	Sodders
Brase	Gronstal	Petersen	Taylor
Breitbach	Guth	Quirnbach	Whitver
Chapman	Hart	Ragan	Wilhelm
Chelgren	Hogg	Rozenboom	Zaun
Costello	Horn	Schneider	Zumbach

Nays, none.

Absent, 2:

Dix                      Sinclair

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### WITHDRAWN

Senator Allen asked and received unanimous consent that **Senate File 2216** be **withdrawn** from further consideration of the Senate.

### Senate File 2254

On motion of Senator Schoenjahn, **Senate File 2254**, a bill for an act requiring certain group health insurance policies, contracts, or plans to provide coverage for autism spectrum disorders for certain persons, providing for a repeal, and including applicability and effective date provisions, was taken up for consideration.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2254), the vote was:

Yeas, 41:

Allen	Dotzler	Kinney	Shipley
Anderson	Dvorsky	Kraayenbrink	Smith
Bertrand	Feenstra	Mathis	Sodders
Bisignano	Gronstal	McCoy	Taylor
Bolkcom	Guth	Petersen	Whitver
Bowman	Hart	Quirnbach	Wilhelm
Brase	Hogg	Ragan	Zaun
Breitbach	Horn	Schneider	Zumbach

Courtney	Jochum	Schoenjahn
Danielson	Johnson	Segebart
Dearden	Kapucian	Seng

Nays, 7:

Behn	Chelgren	Garrett	Schultz
Chapman	Costello	Rozenboom	

Absent, 2:

Dix	Sinclair
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2151, 2163, and 2254** and **House File 2277** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2276, 2277, 2282, 2284, 2288, and 2289.

#### **Senate File 2276**

On motion of Senator Taylor, **Senate File 2276**, a bill for an act relating to the standards for land surveying, including requirements for recorded document formatting, monument preservation certificates, and retracement plats of survey, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2276), the vote was:

Yeas, 48:

Allen	Courtney	Jochum	Schoenjahn
Anderson	Danielson	Johnson	Schultz
Behn	Dearden	Kapucian	Segebart

Bertrand	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Smith
Bowman	Garrett	McCoy	Sodders
Brase	Gronstal	Petersen	Taylor
Breitbach	Guth	Quirmbach	Whitver
Chapman	Hart	Ragan	Wilhelm
Chelgren	Hogg	Rozenboom	Zaun
Costello	Horn	Schneider	Zumbach

Nays, none.

Absent, 2:

Dix                      Sinclair

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2277

On motion of Senator Sodders, **Senate File 2277**, a bill for an act relating to the sources of goods or services under a franchise agreement, was taken up for consideration.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2277), the vote was:

Yeas, 48:

Allen	Courtney	Jochum	Schoenjahn
Anderson	Danielson	Johnson	Schultz
Behn	Dearden	Kapucian	Segebart
Bertrand	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Smith
Bowman	Garrett	McCoy	Sodders
Brase	Gronstal	Petersen	Taylor
Breitbach	Guth	Quirmbach	Whitver
Chapman	Hart	Ragan	Wilhelm
Chelgren	Hogg	Rozenboom	Zaun
Costello	Horn	Schneider	Zumbach

Nays, none.

Absent, 2:

Dix                                 Sinclair

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2282

On motion of Senator Hogg, **Senate File 2282**, a bill for an act relating to reinstatement of lapsed use restrictions within a common interest community, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2282), the vote was:

Yeas, 48:

Allen	Courtney	Jochum	Schoenjahn
Anderson	Danielson	Johnson	Schultz
Behn	Dearden	Kapucian	Segebart
Bertrand	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Smith
Bowman	Garrett	McCoy	Sodders
Brase	Gronstal	Petersen	Taylor
Breitbach	Guth	Quirmbach	Whitver
Chapman	Hart	Ragan	Wilhelm
Chelgren	Hogg	Rozenboom	Zaun
Costello	Horn	Schneider	Zumbach

Nays, none.

Absent, 2:

Dix                                 Sinclair

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2284

On motion of Senator Petersen, **Senate File 2284**, a bill for an act modifying the elements defining hate crimes, and providing penalties, was taken up for consideration.

(Senate File 2284 was deferred.)

The Senate stood at ease at 11:33 a.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 12:00 p.m., President Jochum presiding.

The Senate resumed consideration of Senate File 2284, previously deferred.

Senator Gronstal asked and received unanimous consent that action on **Senate File 2284** be **deferred**.

## Senate File 2288

On motion of Senator Petersen, **Senate File 2288**, a bill for an act relating to the confidentiality of juvenile court records in delinquency proceedings, was taken up for consideration.

Senator Petersen offered amendment S–5030, filed by her on February 24, 2016, to page 7 of the bill, and moved its adoption.

Amendment S–5030 was adopted by a voice vote.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2288), the vote was:

Yeas, 48:

Allen	Courtney	Jochum	Schoenjahn
Anderson	Danielson	Johnson	Schultz
Behn	Dearden	Kapucian	Segebart
Bertrand	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Smith
Bowman	Garrett	McCoy	Sodders

Brase	Gronstal	Petersen	Taylor
Breitbach	Guth	Quirmbach	Whitver
Chapman	Hart	Ragan	Wilhelm
Chelgren	Hogg	Rozenboom	Zaun
Costello	Horn	Schneider	Zumbach

Nays, none.

Absent, 2:

Dix                      Sinclair

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2289

On motion of Senator Bisignano, **Senate File 2289**, a bill for an act prohibiting the mistreatment of animals other than livestock and wild animals, providing reporting requirements, providing for criminal offenses, and including penalties, was taken up for consideration.

Senator Bisignano moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2289), the vote was:

Yeas, 32:

Allen	Dearden	Kinney	Seng
Bisignano	Dotzler	Mathis	Smith
Bolkcom	Dvorsky	McCoy	Sodders
Bowman	Gronstal	Petersen	Taylor
Brase	Hart	Quirmbach	Whitver
Chelgren	Hogg	Ragan	Wilhelm
Courtney	Horn	Schneider	Zaun
Danielson	Jochum	Schoenjahn	Zumbach

Nays, 16:

Anderson	Chapman	Guth	Rozenboom
Behn	Costello	Johnson	Schultz
Bertrand	Feenstra	Kapucian	Segebart
Breitbach	Garrett	Kraayenbrink	Shiple

Absent, 2:

Dix

Sinclair

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2276, 2277, 2282, 2288, and 2289** be **immediately messaged** to the House.

### 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 February 25, 2016, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 2189**, a bill for an act relating to nonsubstantive Code corrections.

ALSO: That the House has on February 25, 2016, **amended and passed** the following bill in which the concurrence of the Senate is asked:

**Senate File 2200**, A bill for an act concerning instruction provided through the Iowa learning online initiative. (S-5034)

ALSO: That the House has on February 25, 2016, **adopted** the following resolution in which the concurrence of the Senate is asked:

**House Joint Resolution 2003**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to searches and seizures of electronic communications and data.

Read first time and referred to committee on **Judiciary**.

ALSO: That the House has on February 25, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2265**, a bill for an act relating to the disclosure of an address confidentiality program participant's address in certain legal proceedings.

Read first time and referred to committee on **Judiciary**.

**House File 2342**, a bill for an act relating to signatures and other writing on applications for hunting, fishing, and fur harvester licenses.

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

**House File 2359**, a bill for an act 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.

Read first time and attached to **similar Senate File 2283**.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 12:23 p.m. until 1:00 p.m., Monday, February 29, 2016.

## APPENDIX

### SUBCOMMITTEE ASSIGNMENT

#### **House File 2263**

EDUCATION: Schoenjahn, Chair; Dvorsky and Sinclair

#### **House File 2264**

EDUCATION: Hogg, Chair; Bowman and Sinclair

#### **House File 2311**

TRANSPORTATION: Dearden, Chair; Kraayenbrink and Quirnbach



## AMENDMENTS FILED

S-5031	S.F.	2284	Mark Chelgren
S-5032	S.F.	2258	Liz Mathis
			Julian B. Garrett
			Mark Costello
S-5033	S.F.	2163	Mark Chelgren
S-5034	S.F.	2200	House
S-5035	S.F.	2284	Jake Chapman
S-5036	S.F.	2284	Mark Chelgren

# JOURNAL OF THE SENATE

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FIFTIETH CALENDAR DAY  
TWENTY-NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, February 29, 2016

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

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Philip Kiely.

The Journal of Thursday, February 25, 2016, was approved.

## INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Kristin Johnson, the governor's appointee to be the Director of the Iowa State Civil Rights Commission. She was the guest of Senators Quirmbach and Schneider and the committee on Judiciary.

The Senate stood at ease at 1:23 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:30 p.m., President Jochum presiding.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dix and Bertrand, until they arrive, on request of Senator Whitver.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS  
(Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Ron Hansen as Superintendent of Banking, placed on the Individual Confirmation Calendar on February 16, 2016, found on page 248 of the Senate Journal.

Senator Allen moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

Allen	Danielson	Johnson	Schultz
Anderson	Dearden	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shiple
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirnbach	Taylor
Chapman	Hart	Ragan	Whitver
Chelgren	Hogg	Rozenboom	Wilhelm
Costello	Horn	Schneider	Zaun
Courtney	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Bertrand                      Dix

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Judy Bradshaw as Director of the Law Enforcement Academy, placed on the Individual Confirmation Calendar on February 22, 2016, found on page 316 of the Senate Journal.

Senator Petersen moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

Allen	Danielson	Johnson	Schultz
Anderson	Dearden	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirmbach	Taylor
Chapman	Hart	Ragan	Whitver
Chelgren	Hogg	Rozenboom	Wilhelm
Costello	Horn	Schneider	Zaun
Courtney	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Bertrand                      Dix

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Mary Gannon as a member of the Public Employment Relations Board, placed on the Individual Confirmation Calendar on February 22, 2016, found on page 316 of the Senate Journal.

Senator Courtney moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 48:

Allen	Danielson	Johnson	Schultz
Anderson	Dearden	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirmbach	Taylor
Chapman	Hart	Ragan	Whitver

Chelgren	Hogg	Rozenboom	Wilhelm
Costello	Horn	Schneider	Zaun
Courtney	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Bertrand	Dix
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2257, 2258, 2260, 2264, and 2268.

#### **Senate File 2257**

On motion of Senator Bisignano, **Senate File 2257**, a bill for an act concerning the issuance of bonds authorized by the Iowa finance authority relating to projects and bond issuers regardless of location, was taken up for consideration.

Senator Bisignano offered amendment S-5029, filed by him on February 24, 2016, to page 1 of the bill, and moved its adoption.

Amendment S-5029 was adopted by a voice vote.

Senator Bisignano moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2257), the vote was:

Yeas, 48:

Allen	Danielson	Johnson	Schultz
Anderson	Dearden	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith

Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirmbach	Taylor
Chapman	Hart	Ragan	Whitver
Chelgren	Hogg	Rozenboom	Wilhelm
Costello	Horn	Schneider	Zaun
Courtney	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Bertrand	Dix
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2258

On motion of Senator Mathis, **Senate File 2258**, a bill for an act concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims, was taken up for consideration.

Senator Mathis offered amendment S-5032, filed by Senators Mathis, Garrett, and Costello on February 25, 2016, to pages 5 and 8 of the bill, and moved its adoption.

Amendment S-5032 was adopted by a voice vote.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2258), the vote was:

Yeas, 48:

Allen	Danielson	Johnson	Schultz
Anderson	Dearden	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shiplely
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirmbach	Taylor

Chapman	Hart	Ragan	Whitver
Chelgren	Hogg	Rozenboom	Wilhelm
Costello	Horn	Schneider	Zaun
Courtney	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Bertrand	Dix
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2260

On motion of Senator Taylor, **Senate File 2260**, a bill for an act relating to disclosure of ownership and control information for nonprofit corporations under the Medicaid program, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2260), the vote was:

Yeas, 48:

Allen	Danielson	Johnson	Schultz
Anderson	Dearden	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shiple
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirmbach	Taylor
Chapman	Hart	Ragan	Whitver
Chelgren	Hogg	Rozenboom	Wilhelm
Costello	Horn	Schneider	Zaun
Courtney	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Bertrand	Dix
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2264

On motion of Senator Petersen, **Senate File 2264**, a bill for an act relating to guardians ad litem, attorneys for minor children, child custody investigators, and child and family reporters involved in child custody and visitation proceedings, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2264), the vote was:

Yeas, 48:

Allen	Danielson	Johnson	Schultz
Anderson	Dearden	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shiple
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirmbach	Taylor
Chapman	Hart	Ragan	Whitver
Chelgren	Hogg	Rozenboom	Wilhelm
Costello	Horn	Schneider	Zaun
Courtney	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Bertrand                      Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2268

On motion of Senator Quirmbach, **Senate File 2268**, a bill for an act relating to the modification of the sex offender registry requirements for certain offenders, was taken up for consideration.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.



On the question "Shall the bill pass?" (S.F. 2268), the vote was:

Yeas, 48:

Allen	Danielson	Johnson	Schultz
Anderson	Dear den	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shiple y
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirmbach	Taylor
Chapman	Hart	Ragan	Whitver
Chelgren	Hogg	Rozenboom	Wilhelm
Costello	Horn	Schneider	Zaun
Courtney	Jochum	Schoenjahr	Zumbach

Nays, none.

Absent, 2:

Bertrand                      Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2257, 2258, 2260, 2264, and 2268** be **immediately messaged** to the House.

### RECESS

On motion of Senator Gronstal, the Senate recessed at 3:00 p.m. until the completion of a meeting of the committee on Education.

### RECONVENED

The Senate reconvened at 3:56 p.m., President Jochum presiding.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 228 and 2147.

## House File 228

On motion of Senator Bowman, **House File 228**, a bill for an act relating to transitional coaching authorizations issued by the board of educational examiners and making penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bowman offered amendment S-5009, filed by the committee on Education on February 17, 2016, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-5009 was adopted by a voice vote.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 228), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 2147

On motion of Senator Horn, **House File 2147**, a bill for an act relating to absentee voting by uniformed and overseas citizens, with report of committee recommending passage, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2147), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Danielson asked and received unanimous consent that **Senate File 2199** be **withdrawn** from further consideration of the Senate.

## HOUSE AMENDMENT CONSIDERED

**Senate File 2200**

Senator Gronstal called up for consideration **Senate File 2200**, a bill for an act concerning instruction provided through the Iowa learning online initiative, amended by the House in House amendment S-5034, filed February 25, 2016.

Senator Wilhelm moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Wilhelm moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2200), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2142 and 2143.

**Senate File 2142**

On motion of Senator Danielson, **Senate File 2142**, a bill for an act relating to voter registration and voting by lowering the age at which a person may register to vote and the age at which a registered voter is eligible to vote in a primary election, was taken up for consideration.

Senator Danielson offered amendment S-5004, filed by him on February 10, 2016, to page 4 and amending the title page of the bill, and moved its adoption.

Amendment S-5004 was adopted by a voice vote.

Senator Zaun asked and received unanimous consent that action on **Senate File 2142** be **deferred**.

**Senate File 2143**

On motion of Senator Courtney, **Senate File 2143**, a bill for an act relating to public disclosure of the receipt of certain gifts, bequests, and honoraria and making penalties applicable, was taken up for consideration.

Senator Courtney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2143), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders

Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2143** and **2200** and **House Files 228** and **2147** be **immediately messaged** to the House.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2147, 2170, 2219, 2222, 2255, and 2263.

#### **Senate File 2147**

On motion of Senator Courtney, **Senate File 2147**, 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, was taken up for consideration.

Senator Courtney offered amendment S-5037, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5037 was adopted by a voice vote.

Senator Courtney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2147), the vote was:

Yeas, 45:

Allen	Danielson	Johnson	Seng
Anderson	Dearden	Kapucian	Shiple
Behn	Dotzler	Kinney	Sinclair
Bertrand	Dvorsky	Kraayenbrink	Smith
Bisignano	Feenstra	Mathis	Sodders
Bolkcom	Garrett	McCoy	Taylor
Bowman	Gronstal	Petersen	Whitver
Brase	Guth	Quirnbach	Wilhelm
Breitbach	Hart	Ragan	Zumbach
Chelgren	Hogg	Rozenboom	
Costello	Horn	Schoenjahn	
Courtney	Jochum	Segebart	

Nays, 4:

Chapman	Schneider	Schultz	Zaun
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Absent, 1:

Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2170

On motion of Senator McCoy, **Senate File 2170**, a bill for an act modifying the notice requirements for public improvement projects, was taken up for consideration.

Senator McCoy offered amendment S-5039, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5039 was adopted by a voice vote.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2170), the vote was:

Yeas, 48:

Allen	Courtney	Jochum	Schultz
Anderson	Danielson	Kapucian	Segebart
Behn	Dearden	Kinney	Seng
Bertrand	Dotzler	Kraayenbrink	Shipley
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Feenstra	McCoy	Smith
Bowman	Garrett	Petersen	Sodders
Brase	Gronstal	Quirmbach	Taylor
Breitbach	Guth	Ragan	Whitver
Chapman	Hart	Rozenboom	Wilhelm
Chelgren	Hogg	Schneider	Zaun
Costello	Horn	Schoenjahn	Zumbach

Nays, 1:

Johnson

Absent, 1:

Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Feenstra, until he returns, on request of Senator Behn.

### Senate File 2219

On motion of Senator Danielson, **Senate File 2219**, a bill for an act requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions, was taken up for consideration.

Senator Danielson offered amendment S-5038, filed by him from the floor to pages 1-3 of the bill, and moved its adoption.

Amendment S-5038 was adopted by a voice vote.



Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2219), the vote was:

Yeas, 37:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Bertrand	Dotzler	Kinney	Shipley
Bisignano	Dvorsky	Kraayenbrink	Smith
Bolkcom	Garrett	Mathis	Sodders
Bowman	Gronstal	McCoy	Wilhelm
Brase	Hart	Petersen	Zumbach
Breitbach	Hogg	Quirnbach	
Chelgren	Horn	Ragan	
Courtney	Jochum	Schoenjahn	

Nays, 11:

Behn	Guth	Schultz	Whitver
Chapman	Rozenboom	Sinclair	Zaun
Costello	Schneider	Taylor	

Absent, 2:

Dix	Feenstra
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2222

On motion of Senator Petersen, **Senate File 2222**, a bill for an act relating to the prescribing and dispensing of self-administered oral hormonal contraceptives including by pharmacists and providing insurance coverage for such contraceptives prescribed and dispensed, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2222), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Nays, 22:

Anderson	Costello	Rozenboom	Smith
Behn	Garrett	Schneider	Whitver
Bertrand	Guth	Schultz	Zaun
Breitbach	Johnson	Segebart	Zumbach
Chapman	Kapucian	Shipley	
Chelgren	Kraayenbrink	Sinclair	

Absent, 2:

Dix	Feenstra
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2255

On motion of Senator Petersen, **Senate File 2255**, a bill for an act concerning department of administrative services' procedures regarding the designation of individuals as ineligible for state employment and sanctions for violations of competitive bidding procedures, was taken up for consideration.

Senator Petersen asked and received unanimous consent that action on **Senate File 2255** be **deferred**.

### Senate File 2263

On motion of Senator Sodders, **Senate File 2263**, a bill for an act relating to clerks of court, including the collection of court debt, the filing of medical reports, and the indexing of notices of lis pendens by county recorders, out-of-state-witness mileage expenses, and including effective date and applicability provisions, was taken up for consideration.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2263), the vote was:

Yeas, 48:

Allen	Courtney	Johnson	Schultz
Anderson	Danielson	Kapucian	Segebart
Behn	Dearden	Kinney	Seng
Bertrand	Dotzler	Kraayenbrink	Shipley
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Guth	Quirmbach	Taylor
Breitbach	Hart	Ragan	Whitver
Chapman	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Dix                      Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2147, 2170, 2219, 2222, and 2263** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2279, 2275, and 2274.

### Senate File 2279

On motion of Senator Bolkcom, **Senate File 2279**, a bill for an act relating to the credit union division and its regulatory matters, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2279), the vote was:

Yeas, 48:

Allen	Courtney	Johnson	Schultz
Anderson	Danielson	Kapucian	Segebart
Behn	Dearden	Kinney	Seng
Bertrand	Dotzler	Kraayenbrink	Shipley
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Guth	Quirnbach	Taylor
Breitbach	Hart	Ragan	Whitver
Chapman	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Dix	Feenstra
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2275

On motion of Senator Danielson, **Senate File 2275**, a bill for an act exempting natural hair braiding from the definition of cosmetology, was taken up for consideration.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2275), the vote was:

Yeas, 48:

Allen	Courtney	Johnson	Schultz
Anderson	Danielson	Kapucian	Segebart
Behn	Dearden	Kinney	Seng

Bertrand	Dotzler	Kraayenbrink	Shipley
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Guth	Quirnbach	Taylor
Breitbach	Hart	Ragan	Whitver
Chapman	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Dix                      Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2274

On motion of Senator Petersen, **Senate File 2274**, a bill for an act concerning the establishment of a process for the debarment of a person from entering into certain state contracts with a state agency, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2274), the vote was:

Yeas, 48:

Allen	Courtney	Johnson	Schultz
Anderson	Danielson	Kapucian	Segebart
Behn	Dearden	Kinney	Seng
Bertrand	Dotzler	Kraayenbrink	Shipley
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Guth	Quirnbach	Taylor
Breitbach	Hart	Ragan	Whitver
Chapman	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Dix                      Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2274, 2275, and 2279** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2270, 2271, and 2265.

#### **Senate File 2270**

On motion of Senator Petersen, **Senate File 2270**, a bill for an act establishing a task force related to extending juvenile court jurisdiction in delinquency matters and proceedings to include persons under the age of twenty-one years, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2270), the vote was:

Yeas, 48:

Allen	Courtney	Johnson	Schultz
Anderson	Danielson	Kapucian	Segebart
Behn	Dearden	Kinney	Seng
Bertrand	Dotzler	Kraayenbrink	Shipley
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Guth	Quirnbach	Taylor

Breitbach	Hart	Ragan	Whitver
Chapman	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Dix	Feenstra
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2271

On motion of Senator Kinney, **Senate File 2271**, a bill for an act relating to the criminal offense of identity theft, and providing penalties, was taken up for consideration.

Senator Kinney asked and received unanimous consent that **House File 2271** be **substituted** for **Senate File 2271**.

### House File 2271

On motion of Senator Kinney, **House File 2271**, a bill for an act relating to the criminal offense of identity theft, and providing penalties, was taken up for consideration.

Senator Kinney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2271), the vote was:

Yeas, 48:

Allen	Courtney	Johnson	Schultz
Anderson	Danielson	Kapucian	Segebart
Behn	Dearden	Kinney	Seng
Bertrand	Dotzler	Kraayenbrink	Shiple
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Guth	Quirmbach	Taylor
Breitbach	Hart	Ragan	Whitver

Chapman	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Dix	Feenstra
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### WITHDRAWN

Senator Kinney asked and received unanimous consent that **Senate File 2271** be **withdrawn** from further consideration of the Senate.

### Senate File 2265

On motion of Senator Soddors, **Senate File 2265**, a bill for an act requiring the master list for juror service to be updated using an electronic data processing system annually and eliminating jury commissions, was taken up for consideration.

Senator Soddors moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2265), the vote was:

Yeas, 48:

Allen	Courtney	Johnson	Schultz
Anderson	Danielson	Kapucian	Segebart
Behn	Dearden	Kinney	Seng
Bertrand	Dotzler	Kraayenbrink	Shipley
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Soddors
Brase	Guth	Quirnbach	Taylor
Breitbach	Hart	Ragan	Whitver
Chapman	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach



Nays, none.

Absent, 2:

Dix                      Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2265** and **2270** and **House File 2271** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:24 p.m. until 9:00 a.m., Tuesday, March 1, 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:

#### AUDITOR OF STATE

Report of Recommendations to the Iowa DHS—Central Distribution Center, pursuant to Iowa Code section 11.4. Report received on February 26, 2016.

Report of Recommendations to the Iowa Public Employees' Retirement System (I-QUE), pursuant to Iowa Code section 11.4. Report received on February 29, 2016.

Review of Certain Unemployment Insurance Payments Made by IWD 1/1/12–1/13/15, pursuant to Iowa Code section 11.6. Report received on February 25, 2016.

Special Investigation of the City of Davenport Fire Department 1/1/09–10/22/14, pursuant to Iowa Code section 11.6. Report received on February 26, 2016.

#### CHIEF INFORMATION OFFICER

Office of the Chief Information Officer Annual Report, pursuant to Iowa Code section 8B.9. Report received on February 25, 2016.

DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

Commerce Revolving Fund Revenues and Expenditures, pursuant to Iowa Code section 546.12. Report received on February 25, 2016.

ECONOMIC DEVELOPMENT AUTHORITY

Iowa Commission on Volunteer Services Report, pursuant to Iowa Code section 15H.2. Report received on February 25, 2016.

DEPARTMENT OF EDUCATION

Competency Based Education Pilot and Demonstration Projects, pursuant to Iowa Code section 256.24. Report received on February 26, 2016.

DEPARTMENT OF HUMAN SERVICES

Hospital Health Care Access Trust Fund Report, pursuant to Iowa Code section 249M.4(9)(b)(3). Report received on February 25, 2016.

Mental Health Services for Children and Youth Report, pursuant to Iowa Code section 225C.54(5). Report received on February 25, 2016.

BOARD OF REGENTS

Monthly Financial Report for January 2016, pursuant to 2013 Iowa Acts, Chapter 141, section 27. Report received on February 29, 2016.

REPORT OF COMMITTEE MEETING

EDUCATION

**Convened:** Monday, February 29, 2016, 3:05 p.m.

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

**Members Absent:** None.

**Committee Business:** Discussed SF 2235 and HF 2275.

**Adjourned:** 3:50 p.m.

SUBCOMMITTEE ASSIGNMENTS

**House File 2268**

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

**House File 2274**

LABOR AND BUSINESS RELATIONS: Bisignano, Chair; Brase and Shipley

## FINAL COMMITTEE REPORT OF BILL ACTION

### EDUCATION

**Bill Title:** HOUSE FILE 2275, a bill for an act relating to the disbursement of all Iowa opportunity scholarships.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Quirmbach, 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.

### BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 29th day of February, 2016.

Senate File 2035.

MICHAEL E. MARSHALL  
Secretary of the Senate

### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 29, 2016, the Governor approved and transmitted to the Secretary of State the following bills:

**Senate File 2035** – Relating to the reimbursement rate for juvenile shelter care homes and including effective date and retroactive applicability provisions.

### AMENDMENTS FILED

S-5037	S.F.	2147	Thomas G. Courtney
S-5038	S.F.	2219	Jeff Danielson
S-5039	S.F.	2170	Matt McCoy
S-5040	S.F.	2251	Kevin Kinney
S-5041	S.F.	2255	Mark Chelgren

# JOURNAL OF THE SENATE

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FIFTY-FIRST CALENDAR DAY  
THIRTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, March 1, 2016

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Reverend David Dahlke, pastor of the Shepherd of the Valley Lutheran Church in West Des Moines, Iowa; and Chaplain for the West Des Moines Police Department. He was the guest of Senator Schultz.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Lindsay Larkin.

The Journal of Monday, February 29, 2016, was approved.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 9:12 a.m. until 1:00 p.m.

## RECONVENED

The Senate reconvened at 1:05 p.m., President Jochum presiding.

The Senate stood at ease at 1:06 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 1:37 p.m., President Jochum presiding.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2213.

**Senate File 2213**

On motion of Senator Ragan, **Senate File 2213**, a bill for an act relating to Medicaid program improvement, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **Senate File 2213** be **deferred**.

UNFINISHED BUSINESS  
(Deferred February 29, 2016)

**Senate File 2142**

The Senate resumed consideration of **Senate File 2142**, a bill for an act relating to voter registration and voting by lowering the age at which a person may register to vote and the age at which a registered voter is eligible to vote in a primary election, deferred February 29, 2016.

Senator Danielson asked and received unanimous consent that action on **Senate File 2142** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dix, until he arrives, on request of Senator Whitver.

UNFINISHED BUSINESS  
(Deferred February 22, 2016)

**Senate File 2188**

The Senate resumed consideration of **Senate File 2188**, a bill for an act relating to prescription authority for certain psychologists and making penalties applicable, deferred February 22, 2016.

Senator Bolkcom offered amendment S-5044, filed by Senators Bolkcom, Johnson, and Dvorsky from the floor to pages 2, 3, 5, and 8 of the bill, and moved its adoption.

Amendment S-5044 was adopted by a voice vote.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2188), the vote was:

Yeas, 24:

Allen	Dotzler	Johnson	Schoenjahn
Bowman	Dvorsky	Mathis	Segebart
Brase	Gronstal	McCoy	Seng
Costello	Hart	Petersen	Sodders
Courtney	Hogg	Quirnbach	Taylor
Dearden	Jochum	Ragan	Wilhelm

Nays, 25:

Anderson	Chelgren	Kinney	Smith
Behn	Danielson	Kraayenbrink	Whitver
Bertrand	Feenstra	Rozenboom	Zaun
Bisignano	Garrett	Schneider	Zumbach
Bolkcom	Guth	Schultz	
Breitbach	Horn	Shipley	
Chapman	Kapucian	Sinclair	

Absent, 1:

Dix

The bill, having not received a constitutional majority, was declared to have failed to pass the Senate.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2251.

## Senate File 2251

On motion of Senator Kinney, **Senate File 2251**, a bill for an act establishing a task force to study issues relating to anhydrous ammonia and including effective date provisions, was taken up for consideration.

Senator Kinney offered amendment S-5040, filed by him on February 29, 2016, to page 1 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5040 be adopted?" (S.F. 2251), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Nays, 23:

Anderson	Costello	Kraayenbrink	Sinclair
Behn	Feenstra	Rozenboom	Smith
Bertrand	Garrett	Schneider	Whitver
Breitbach	Guth	Schultz	Zaun
Chapman	Johnson	Segebart	Zumbach
Chelgren	Kapucian	Shiple	

Absent, 1:

Dix

Amendment S-5040 was adopted.

Senator Kinney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2251), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	

Nays, 23:

Anderson	Costello	Kraayenbrink	Sinclair
Behn	Feenstra	Rozenboom	Smith
Bertrand	Garrett	Schneider	Whitver
Breitbach	Guth	Schultz	Zaun
Chapman	Johnson	Segebart	Zumbach
Chelgren	Kapucian	Shipley	

Absent, 1:

Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2251** be **immediately messaged** to the House.

The Senate stood at ease at 2:02 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 2:18 p.m., President Jochum presiding.

### UNFINISHED BUSINESS (Deferred February 29, 2016)

#### **Senate File 2255**

The Senate resumed consideration of **Senate File 2255**, a bill for an act concerning department of administrative services' procedures regarding the designation of individuals as ineligible for state employment and sanctions for violations of competitive bidding procedures, deferred February 29, 2016.



Senator Chelgren offered amendment S–5041, filed by him on February 29, 2016, to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5041 be adopted?” (S.F. 2255), the vote was:

Yeas, 23:

Anderson	Costello	Kraayenbrink	Sinclair
Behn	Feenstra	Rozenboom	Smith
Bertrand	Garrett	Schneider	Whitver
Breitbach	Guth	Schultz	Zaun
Chapman	Johnson	Segebart	Zumbach
Chelgren	Kapucian	Shipley	

Nays, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Absent, 1:

Dix

Amendment S–5041 lost.

Senator Garrett offered amendment S–5048, filed by him from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S–5048 be adopted?” (S.F. 2255), the vote was:

Yeas, 23:

Anderson	Costello	Kraayenbrink	Sinclair
Behn	Feenstra	Rozenboom	Smith
Bertrand	Garrett	Schneider	Whitver
Breitbach	Guth	Schultz	Zaun
Chapman	Johnson	Segebart	Zumbach
Chelgren	Kapucian	Shipley	

Nays, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Absent, 1:

Dix

Amendment S-5048 lost.

Senator Garrett withdrew amendment S-5046, filed by him from the floor to page 2 of the bill.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2255), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shipley
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2255** be **immediately messaged** to the House.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2259 and 2269.

**Senate File 2259**

On motion of Senator Mathis, **Senate File 2259**, a bill for an act concerning treatment of a person with a serious mental impairment who fails to comply with an outpatient treatment order, was taken up for consideration.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2259), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shipley
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2269

On motion of Senator Sodders, **Senate File 2269**, a bill for an act creating a community violence task force, was taken up for consideration.

Senator Sodders offered amendment S-5042, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5042 was adopted by a voice vote.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2269), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	ShIPLEY
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2259** and **2269** be **immediately messaged** to the House.

## BUSINESS PENDING

**Senate File 2142**

The Senate resumed consideration of **Senate File 2142**, a bill for an act relating to voter registration and voting by lowering the age at which a person may register to vote and the age at which a registered voter is eligible to vote in a primary election, previously deferred.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2142), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shipley
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

**CONSIDERATION OF BILL**  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2273.

### Senate File 2273

On motion of Senator Bowman, **Senate File 2273**, a bill for an act relating to licensure of home food establishments by raising the ceiling on gross annual sales for a home food establishment, was taken up for consideration.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2273), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shipley
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2142** and **2273** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:09 p.m. until 9:00 a.m., Wednesday, March 2, 2016.

## APPENDIX

### COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### AUDITOR OF STATE

Independent Auditor's Report on the Wireless E911 Emergency Communications Fund—HSEM FY 14, pursuant to Iowa Code section 11.4. Report received on March 1, 2016.

### CERTIFICATE OF RECOGNITION

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

John Becker, Cumberland—For celebrating his 90<sup>th</sup> birthday. Senator Costello.

### INTRODUCTION OF RESOLUTIONS

**Senate Resolution 105**, by Schneider, a resolution to declare March 11, 2016, as Fibromuscular Dysplasia Awareness Day.

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

**Senate Resolution 106**, by Anderson, a resolution honoring the service of Briar Cliff University President Bev Wharton.

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

### SUBCOMMITTEE ASSIGNMENTS

**Senate File 2161**  
(Reassigned)

APPROPRIATIONS: Mathis, Chair; Ragan and Segebart

#### **House Joint Resolution 2003**

JUDICIARY: Horn, Chair; Bisignano and Schneider

**House File 2265**

JUDICIARY: Hogg, Chair; Bisignano and Garrett

**House File 2356**

TRANSPORTATION: Dearden, Chair; Horn and Kapucian

**House File 2373**

JUDICIARY: Hogg, Chair; Horn and Schneider

**MOTION TO RECONSIDER FILED**

MADAM PRESIDENT, I move to reconsider the vote by which Senate File 2188 failed to pass the Senate on March 1, 2016.

JOE BOLKCOM

**AMENDMENTS FILED**

S-5042	S.F.	2269	Steven J. Sadders
S-5043	S.F.	2226	Janet Petersen
S-5044	S.F.	2188	Joe Bolkcom David Johnson Robert E. Dvorsky
S-5045	S.F.	2213	Amanda Ragan Liz Mathis Joe Bolkcom
S-5046	S.F.	2255	Julian B. Garrett
S-5047	S.F.	2228	Tod R. Bowman
S-5048	S.F.	2255	Julian B. Garrett



# JOURNAL OF THE SENATE

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FIFTY-SECOND CALENDAR DAY  
THIRTY-FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, March 2, 2016

The Senate met in regular session at 9:09 a.m., Senator Courtney presiding.

Prayer was offered by the Honorable Chaz Allen, member of the Senate from Jasper County, Newton, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kira Le.

The Journal of Tuesday, March 1, 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 March 1, 2016, **passed** the following bills in which the concurrence of the House was asked:

**Senate File 2151**, 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.

**Senate File 2257**, a bill for an act concerning the issuance of bonds authorized by the Iowa finance authority relating to projects and bond issuers regardless of location.

**Senate File 2288**, a bill for an act relating to the confidentiality of juvenile court records in delinquency proceedings.

ALSO: That the House has on March 1, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2011**, a bill for an act relating to the criminal offense of sexual exploitation by a school employee.

Read first time and referred to committee on **Judiciary**.

**House File 2321**, a bill for an act relating to the accreditation of nonpublic schools by independent accrediting agencies approved by the state board of education.

Read first time and referred to committee on **Education**.

**House File 2324**, a bill for an act providing for a computer science advisory council to be convened by the director of the department of education.

Read first time and referred to committee on **Education**.

**House File 2336**, a bill for an act relating to the duties and authority of the state board of education, the department of education, and local school districts and to the programs and activities under the purview of the state board and the department.

Read first time and referred to committee on **Education**.

**House File 2341**, a bill for an act relating to the operation of certain schools under the purview of the college student aid commission.

Read first time and referred to committee on **Education**.

**House File 2345**, a bill for an act requiring annual reports by county engineers and the department of transportation on the use of road use tax fund moneys to replace or repair structurally deficient bridges under county jurisdiction.

Read first time and referred to committee on **Transportation**.

**House File 2365**, a bill for an act waiving certain hunter education requirements for residents who are active duty military personnel or honorably discharged veterans.

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

**House File 2370**, a bill for an act relating to exemptions from registration of postsecondary schools by the college student aid commission.

Read first time and referred to committee on **Education**.

**House File 2377**, a bill for an act relating to the rural Iowa primary care and the rural Iowa advanced registered nurse practitioner and physician assistant loan repayment programs.

Read first time and referred to committee on **Education**.

**House File 2387**, a bill for an act requiring the dental board to offer an alternative examination for licensure.

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

**House File 2400**, a bill for an act providing for voidable commercial transactions and including applicability provisions.

Read first time and referred to committee on **Judiciary**.

**House File 2415**, a bill for an act concerning veterans preference information.

Read first time and attached to **similar Senate File 2169**.

The Senate stood at ease at 9:17 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:44 a.m., President Pro Tempore Soddors presiding.

UNFINISHED BUSINESS  
(Deferred March 1, 2016)

**Senate File 2213**

The Senate resumed consideration of **Senate File 2213**, a bill for an act relating to Medicaid program improvement, and including effective date and retroactive applicability provisions, deferred March 1, 2016.

Senator Ragan offered amendment S-5045, filed by Senators Ragan, Mathis, and Bolkcom on March 1, 2016, striking and replacing everything after the enacting clause of the bill.

Senator Ragan asked and received unanimous consent that action on amendment S-5045 be deferred.

Senator Johnson offered amendment S-5052, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5052 be adopted?" (S.F. 2213), the vote was:

Yeas, 23:

Anderson	Costello	Kapucian	ShIPLEY
Behn	Dix	Kraayenbrink	SINCLAIR
Bertrand	Feenstra	Rozenboom	SMITH
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zumbach
Chelgren	Johnson	Segebart	

Nays, 27:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	Zaun
Danielson	Horn	Ragan	

Absent, none.

Amendment S-5052 lost.

The Senate resumed consideration of amendment S-5045, previously deferred.

Senator Ragan moved the adoption of amendment S-5045.

A record roll call was requested.

On the question "Shall amendment S-5045 be adopted?" (S.F. 2213), the vote was:

Yeas, 31:

Allen	Dearden	Johnson	Seng
Bisignano	Dotzler	Kinney	Sinclair
Bolkcom	Dvorsky	Mathis	Smith
Bowman	Gronstal	McCoy	Sodders
Brase	Hart	Petersen	Taylor
Chapman	Hogg	Quirmbach	Wilhelm
Courtney	Horn	Ragan	Zaun
Danielson	Jochum	Schoenjahn	

Nays, 19:

Anderson	Costello	Kapucian	Segebart
Behn	Dix	Kraayenbrink	Shipley
Bertrand	Feenstra	Rozenboom	Whitver
Breitbach	Garrett	Schneider	Zumbach
Chelgren	Guth	Schultz	

Absent, none.

Amendment S-5045 was adopted.

Senator Ragan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2213), the vote was:

Yeas, 32:

Allen	Dearden	Johnson	Segebart
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sinclair
Bowman	Gronstal	McCoy	Smith
Brase	Hart	Petersen	Sodders
Chapman	Hogg	Quirmbach	Taylor
Courtney	Horn	Ragan	Wilhelm
Danielson	Jochum	Schoenjahn	Zaun

Nays, 18:

Anderson	Costello	Kapucian	Shiple
Behn	Dix	Kraayenbrink	Whitver
Bertrand	Feenstra	Rozenboom	Zumbach
Breitbach	Garrett	Schneider	
Chelgren	Guth	Schultz	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2213** be **immediately messaged** to the House.

### RECESS

On motion of Senator Gronstal, the Senate recessed at 12:17 p.m. until 3:00 p.m.

### RECONVENED

The Senate reconvened at 3:15 p.m., President Jochum presiding.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2266, 2229, 2228, 2225, and 2252.

#### **Senate File 2266**

On motion of Senator Bisignano, **Senate File 2266**, a bill for an act concerning employment prohibitions relating to receiving an annuity under the judicial retirement system, was taken up for consideration.

Senator Schneider offered amendment S-5054, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Gronstal raised the point of order that amendment S-5054 was not germane to the bill.

The Chair rules the point well-taken and amendment S-5054 out of order.

Senator Chelgren asked and received unanimous consent that action on **Senate File 2266** be **deferred**.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy, until he returns, on request of Senator Gronstal.

### Senate File 2229

On motion of Senator Hart, **Senate File 2229**, a bill for an act relating to the provision of financial assistance from the nuisance property remediation fund, was taken up for consideration.

Senator Hart offered amendment S-5049, filed by her from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5049 be adopted?" (S.F. 2229), the vote was:

Yeas, 25:

Allen	Dearden	Jochum	Seng
Bisignano	Dotzler	Kinney	Sodders
Bolkcom	Dvorsky	Mathis	Taylor
Bowman	Gronstal	Petersen	Wilhelm
Brase	Hart	Quirnbach	
Courtney	Hogg	Ragan	
Danielson	Horn	Schoenjahn	

Nays, 24:

Anderson	Costello	Kapucian	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith

Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Absent, 1:

McCoy

Amendment S-5049 was adopted.

Senator Hart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2229), the vote was:

Yeas, 48:

Allen	Courtney	Horn	Schultz
Anderson	Danielson	Jochum	Segebart
Behn	Dearden	Kapucian	Seng
Bertrand	Dix	Kinney	Shipley
Bisignano	Dotzler	Kraayenbrink	Sinclair
Bolkcom	Dvorsky	Mathis	Smith
Bowman	Feenstra	McCoy	Sodders
Brase	Garrett	Petersen	Taylor
Breitbach	Gronstal	Quirmbach	Whitver
Chapman	Guth	Ragan	Wilhelm
Chelgren	Hart	Schneider	Zaun
Costello	Hogg	Schoenjahn	Zumbach

Nays, 2:

Johnson	Rozenboom
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Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

## Senate File 2228

On motion of Senator Bowman, **Senate File 2228**, a bill for an act relating to the activities of motor vehicle dealers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the furnishing of surety bonds, and the assessment of documentary fees, and making a penalty applicable, was taken up for consideration.



Senator Bowman offered amendment S-5047, filed by him on March 1, 2016, to pages 2 and 3 of the bill, and moved its adoption.

Amendment S-5047 was adopted by a voice vote.

Senator Sinclair offered amendment S-5053, filed by her from the floor to page 2 of the bill, and moved its adoption.

Amendment S-5053 was adopted by a voice vote.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2228), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2225

On motion of Senator Bowman, **Senate File 2225**, a bill for an act relating to assessing and reporting of potential concussions or brain injuries in certain extracurricular interscholastic athletic contests, was taken up for consideration.

Senator Bowman offered amendment S-5051, filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-5051 was adopted by a voice vote.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2225), the vote was:

Yeas, 35:

Allen	Dearden	Kapucian	Seng
Bisignano	Dotzler	Kinney	Shipley
Bolkcom	Dvorsky	Mathis	Smith
Bowman	Gronstal	McCoy	Sodders
Brase	Hart	Petersen	Taylor
Breitbach	Hogg	Quirmbach	Whitver
Chelgren	Horn	Ragan	Wilhelm
Courtney	Jochum	Schoenjahn	Zumbach
Danielson	Johnson	Segebart	

Nays, 15:

Anderson	Costello	Guth	Schultz
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Zaun
Chapman	Garrett	Schneider	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2252

On motion of Senator Brase, **Senate File 2252**, a bill for an act requiring employers to provide reasonable accommodations to employees based on pregnancy or childbirth and making penalties applicable, was taken up for consideration.

(Senate File 2252 was deferred.)

The Senate stood at ease at 4:12 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 4:34 p.m., President Jochum presiding.

The Senate resumed consideration of Senate File 2252, previously deferred.

Senator Brase moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2252), the vote was:

Yeas, 28:

Allen	Dearden	Jochum	Ragan
Bisignano	Dotzler	Kapucian	Schoenjahn
Bolkcom	Dvorsky	Kinney	Seng
Bowman	Gronstal	Mathis	Sodders
Brase	Hart	McCoy	Taylor
Courtney	Hogg	Petersen	Wilhelm
Danielson	Horn	Quirmbach	Zumbach

Nays, 22:

Anderson	Costello	Kraayenbrink	Sinclair
Behn	Dix	Rozenboom	Smith
Bertrand	Feenstra	Schneider	Whitver
Breitbach	Garrett	Schultz	Zaun
Chapman	Guth	Segebart	
Chelgren	Johnson	Shipley	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2225, 2228, 2229, and 2252** be **immediately messaged** to the House.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2235.

### Senate File 2235

On motion of Senator Quirmbach, **Senate File 2235**, a bill for an act relating to standards and licensure for certain children's centers, was taken up for consideration.

Senator Quirmbach offered amendment S-5056, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5056 was adopted by a voice vote.

Senator Dvorsky asked and received unanimous consent that action on **Senate File 2235** be **deferred**.

### BUSINESS PENDING

### Senate File 2266

The Senate resumed consideration of **Senate File 2266**, a bill for an act concerning employment prohibitions relating to receiving an annuity under the judicial retirement system, previously deferred.

Senator Chelgren offered amendment S-5057, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Gronstal raised the point of order that amendment S-5057 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5057 out of order.

Senator Bisignano moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2266), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor

Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	

Nays, 24:

Anderson	Costello	Kapucian	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2266** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:07 p.m. until 9:00 a.m., Thursday, March 3, 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:

#### COLLEGE STUDENT AID COMMISSION

Ethnic Diversity Report, pursuant to Iowa Code section 261.2. Report received on March 2, 2016.

#### DEPARTMENT OF TRANSPORTATION

Soil and Water Conservation Project Disagreements Annual Report, pursuant to Iowa Code section 306.54. Report received on March 1, 2016.

## CERTIFICATES OF RECOGNITION

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

Wayne and Rosemary Dunn, Algona—For celebrating their 60<sup>th</sup> wedding anniversary. Senator Guth.

Bill and Erma Jeanne McCabe, New London—For celebrating their 70<sup>th</sup> wedding anniversary. Senator Courtney.

Ruth Stephens, Algona—For celebrating her 100<sup>th</sup> birthday. Senator Guth.

Merlin and Minnie Walker, Algona—For celebrating their 65<sup>th</sup> wedding anniversary. Senator Guth.

## REPORT OF COMMITTEE MEETING

### JUDICIARY

**Convended:** Wednesday, March 2, 2016, 1:05 p.m.

**Recessed:** 1:10 p.m.

**Reconvended:** 1:45 p.m.

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

**Members Absent:** None.

**Committee Business:** Passed HF 2279, as amended.

**Adjourned:** 1:55 p.m.

## SUBCOMMITTEE ASSIGNMENT

### House File 2342

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

## FINAL COMMITTEE REPORT OF BILL ACTION

### JUDICIARY

**Bill Title:** HOUSE FILE 2279, a bill for an act relating to possessing and transferring firearm suppressors, providing penalties, and including effective date provisions.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5055.

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

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

#### AMENDMENTS FILED

S-5049	S.F.	2229	Rita Hart
S-5050	S.F.	2169	Jeff Danielson
S-5051	S.F.	2225	Tod R. Bowman
S-5052	S.F.	2213	David Johnson
S-5053	S.F.	2228	Amy Sinclair
S-5054	S.F.	2266	Charles Schneider
S-5055	H.F.	2279	Judiciary
S-5056	S.F.	2235	Herman C. Quirmbach
S-5057	S.F.	2266	Mark Chelgren

# JOURNAL OF THE SENATE

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FIFTY-THIRD CALENDAR DAY  
THIRTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, March 3, 2016

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Reverend Sandy Wainwright Rossander, pastor of the Villisca First Presbyterian Church in Villisca, Iowa. She was the guest of Senator Shipley.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Samantha Lofthouse.

The Journal of Wednesday, March 2, 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 March 2, 2016, **passed** the following bills in which the concurrence of the House was asked:

**Senate File 2170**, a bill for an act modifying the notice requirements for public improvement projects.

**Senate File 2221**, a bill for an act relating to public utilities and sanitary sewage or storm water drainage disposal system providers.



ALSO: That the House has on March 2, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2269**, a bill for an act providing for certain excise taxes imposed on the sale of cattle and including effective date provisions.

Read first time and attached to **similar Senate File 2278**.

**House File 2278**, a bill for an act relating to the limitations of criminal actions in kidnapping or human trafficking offenses, and providing penalties.

Read first time and referred to committee on **Judiciary**.

**House File 2333**, a bill for an act relating to consent decrees in juvenile delinquency proceedings.

Read first time and referred to committee on **Judiciary**.

**House File 2339**, a bill for an act allowing benefited recreational lake districts and water quality districts to become members of watershed management authorities.

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

**House File 2343**, a bill for an act relating to possession and storage of game or fur-bearing animals and their pelts and including penalties.

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

**House File 2363**, a bill for an act relating to member attendance and confidentiality at a closed session of a governmental body and providing penalties.

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

**House File 2364**, a bill for an act relating to public notice and the accessibility of meetings of governmental bodies.

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

**House File 2372**, a bill for an act relating to the preference for joint custody and joint physical care of a child in awarding custody.

Read first time and referred to committee on **Judiciary**.

**House File 2385**, a bill for an act relating to littering and illegal dumping and modifying penalties.

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

**House File 2401**, a bill for an act prohibiting persons from opening or using a credit card in the name of a minor without the consent of the minor's parent, guardian, or legal custodian, and providing criminal penalties.

Read first time and referred to committee on **Commerce**.

**House File 2421**, a bill for an act relating to coaching authorizations issued by the board of educational examiners and to certain emergency medical procedures training requirements, and including applicability provisions.

Read first time and referred to committee on **Education**.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 9:26 a.m. until the completion of a meeting of the committee on Rules and Administration.

## RECONVENED

The Senate reconvened at 9:28 a.m., President Jochum presiding.

The Senate stood at ease at 9:29 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:30 a.m., President Jochum presiding.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Chelgren, until he arrives, on request of Senator Whitver; and Senator Bertrand, until he arrives, on request of Senator Dix.

UNFINISHED BUSINESS  
(Deferred March 2, 2016)

**Senate File 2235**

The Senate resumed consideration of **Senate File 2235**, a bill for an act relating to standards and licensure for certain children's centers, deferred March 2, 2016.

Senator Quirnbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2235), the vote was:

Yeas, 48:

Allen	Dearden	Johnson	Schultz
Anderson	Dix	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirnbach	Taylor
Chapman	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zaun
Danielson	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Bertrand                      Chelgren

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2187 and 2281.

**Senate File 2187**

On motion of Senator Horn, **Senate File 2187**, a bill for an act relating to the issuance of driver's licenses marked to reflect veteran status, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2187), the vote was:

Yeas, 48:

Allen	Dearden	Johnson	Schultz
Anderson	Dix	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shiple
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirnbach	Taylor
Chapman	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zaun
Danielson	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Bertrand                      Chelgren

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

**Senate File 2281**

On motion of Senator Danielson, **Senate File 2281**, a bill for an act concerning investment of certain public funds in and public contracts with companies that boycott Israel, was taken up for consideration.

Senator Danielson asked and received unanimous consent that action on **Senate File 2281** be **deferred**.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2187** and **2235** be **immediately messaged** to the House.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2261.

#### **Senate File 2261**

On motion of Senator Sodders, **Senate File 2261**, a bill for an act relating to and providing insurance coverage for medication synchronization, was taken up for consideration.

Senator Sodders offered amendment S-5058, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment S-5058 was adopted by a voice vote.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2261), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	ShIPLEY
Behn	Dotzler	Kraayenbrink	SINCLAIR
Bertrand	Dvorsky	Mathis	SMITH
Bisignano	Feenstra	McCoy	SODDERS
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun

Chapman	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chelgren

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2261** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:09 a.m. until 1:00 p.m., Monday, March 7, 2016.

### APPENDIX

#### REPORT OF COMMITTEE MEETING

##### WAYS AND MEANS

**Convened:** Thursday, March 03, 2016, 11:15 a.m.

**Members Present:** Bolkom, Chair; Allen, Vice Chair; Feenstra, Ranking Member; Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Schultz, Seng, and Smith.

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

**Committee Business:** Passed SF 2100 and SF 2285.

**Adjourned:** 12:10 p.m.

## INTRODUCTION OF BILLS

**Senate File 2296**, by committee on Appropriations, 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 Appropriations calendar.**

**Senate File 2297**, by committee on Appropriations, a bill for an act relating to children's mental health and well-being and including provisions for contingent implementation.

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

**Senate File 2298**, by committee on Appropriations, a bill for an act establishing an AmeriCorps program for the economic well-being and health of refugees, and including provisions for contingent implementation.

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

**Senate File 2299**, by committee on Appropriations, a bill for an act relating to the early childhood Iowa initiative.

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

## STUDY BILLS RECEIVED

**SSB 3168      Ways and Means**

Amending the sales and use tax exemption for the sale of goods and services furnished in fulfillment of a written construction contract with a nonprofit hospital, and including effective date and retroactive applicability provisions.

**SSB 3169      Ways and Means**

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

**SSB 3170      Ways and Means**

Relating to the property tax exemption for certain broadband infrastructure.

**SUBCOMMITTEE ASSIGNMENTS****House File 2343**

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

**House File 2365**

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

**House File 2385**

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

**House File 2387**

HUMAN RESOURCES: Bolkcom, Chair; Costello and Mathis

**SSB 3168**

WAYS AND MEANS: Dotzler, Chair; Anderson and Bolkcom

**SSB 3169**

WAYS AND MEANS: Hogg, Chair; Behn and McCoy

**SSB 3170**

WAYS AND MEANS: Petersen, Chair; Feenstra and McCoy



## FINAL COMMITTEE REPORTS OF BILL ACTION

## APPROPRIATIONS

**Bill Title:** SENATE FILE 2296 (formerly SF 2237), 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, 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.

## ALSO:

**Bill Title:** \*SENATE FILE 2297 (formerly SF 2161), a bill for an act relating to children's mental health and well-being and including provisions for contingent implementation.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 21: Dvorsky, Danielson, Chapman, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach. 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 Appropriations Committee on Senate File 2297, and they were attached to the committee report.

## ALSO:

**Bill Title:** \*SENATE FILE 2298 (formerly SF 2153), a bill for an act establishing an AmeriCorps program for the economic well-being and health of refugees, and including provisions for contingent implementation.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 19: Dvorsky, Danielson, Chapman, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach. Nays, 2: Garrett and Rozenboom. 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 2298, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2299 (SSB 3128), a bill for an act relating to the early childhood Iowa initiative.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 21: Dvorsky, Danielson, Chapman, Bisignano, Bolcom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach. 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 Appropriations Committee on Senate File 2299, and they were attached to the committee report.

#### **RULES AND ADMINISTRATION**

**Bill Title:** SENATE RESOLUTION 105, a resolution to declare March 11, 2016, as Fibromuscular Dysplasia Awareness Day.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Gronstal, Jochum, Dix, Chapman, Courtney, Dearden, Dvorsky, Guth, Ragan, Sodders, and Whitver. Nays, none. Absent, none.

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

#### **AMENDMENT FILED**

S-5058      S.F.      2261      Steven J. Sodders

# JOURNAL OF THE SENATE

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FIFTY-SEVENTH CALENDAR DAY  
THIRTY-THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, March 7, 2016

The Senate met in regular session at 1:05 p.m., President Jochum presiding.

A musical selection was offered by members of the Oskaloosa High School String Ensemble; Tori Palmer, Haley Bunnell, MaKennah Little, Ally Lowe, Alexander Nagorny, Joanna Thury, Alexander Shaffer, Sandra Blom, and Hunter Mason. They were the guests of Senator Rozenboom.

## PLEDGE OF ALLEGIANCE

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

The Journal of Thursday, March 3, 2016, was approved.

## SPECIAL GUEST

President Jochum introduced to the Senate chamber the Honorable Tom Rielly, former member of the Senate from Mahaska County, Oskaloosa, Iowa.

The Senate rose and expressed its welcome.

## 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 March 3, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2064**, a bill for an act relating to the criminal offense of child endangerment resulting in the death of a child or minor, and providing penalties.

Read first time and referred to committee on **Judiciary**.

**House File 2325**, a bill for an act authorizing the severance of territory and transfer of services of a sanitary district by resolution.

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

**House File 2354**, a bill for an act relating to electronic recordings of court proceedings within a magistrate's jurisdiction.

Read first time and referred to committee on **Judiciary**.

**House File 2366**, a bill for an act relating to the exercise of a mental health advocate's duties.

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

**House File 2392**, a bill for an act providing for academic and career guidance and career and technical education programs and requirements and workplace learning programs, and including effective date provisions.

Read first time and referred to committee on **Education**.

**House File 2405**, a bill for an act relating to the seizure of property by the department of natural resources.

Read first time and referred to committee on **Natural Resources**.

**House File 2406**, a bill for an act relating to school corporations and cities by changing the date of the election of directors of local school districts, merged areas, and area education agency boards, by providing for the combined administration of regular and special school and city elections, by requiring city office nomination papers be filed with the city clerk, and including effective date and applicability and transition provisions.

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

**House File 2414**, a bill for an act providing for the regulation of transportation network companies, and including applicability provisions.

Read first time and referred to committee on **Transportation**.

**House File 2420**, a bill for an act relating to untested sexual abuse evidence collection kits stored at law enforcement agencies.

Read first time and referred to committee on **Judiciary**.

#### CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 105.

#### **Senate Resolution 105**

On motion of Senator Schneider, **Senate Resolution 105**, a resolution to declare March 11, 2016, as Fibromuscular Dysplasia Awareness Day, with report of committee recommending passage, was taken up for consideration.

Senator Schneider moved the adoption of Senate Resolution 105, which motion prevailed by a voice vote.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:25 p.m. until 9:00 a.m., Tuesday, March 8, 2016.

## APPENDIX

### COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### COLLEGE STUDENT AID COMMISSION

Iowa Minority Academic Grants for Economic Success Program, pursuant to Iowa Code section 261.104(5). Report received on March 4, 2016.

### REPORT OF COMMITTEE MEETING

#### LOCAL GOVERNMENT

**Convened:** Monday, March 7, 2016, 2:50 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:** Passed HF's 2180, 2267, 2325, and 2339; and discussed HF 2337.

**Adjourned:** 3:10 p.m.

### INTRODUCTION OF BILLS

**Senate File 2300**, by committee on Ways and Means, a bill for an act relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions.

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

**Senate File 2301**, by committee on Ways and Means, a bill for an act relating to the Iowa educational savings plan trust and including effective date provisions.

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

## SUBCOMMITTEE ASSIGNMENTS

### **Senate File 2105**

LOCAL GOVERNMENT: Taylor, Chair; Quirnbach and Smith

### **Senate File 2207**

LOCAL GOVERNMENT: Taylor, Chair; Quirnbach and Smith

### **Senate File 2294**

LOCAL GOVERNMENT: Allen, Chair; Hart and Smith

### **House File 2011**

JUDICIARY: Petersen, Chair; Garrett and Kinney

### **House File 2064**

JUDICIARY: Soddors, Chair; Garrett and Petersen

### **House File 2180**

LOCAL GOVERNMENT: Wilhelm, Chair; Allen and Smith

### **House File 2267**

LOCAL GOVERNMENT: Brase, Chair; Hart and Smith

### **House File 2278**

JUDICIARY: Kinney, Chair; Petersen and Schneider

### **House File 2321**

EDUCATION: Dvorsky, Chair; Quirnbach and Sinclair

### **House File 2324**

EDUCATION: Quirnbach, Chair; Hogg and Schultz

### **House File 2325**

LOCAL GOVERNMENT: Taylor, Chair; Allen, Bisignano, Brase, Breitbach, Guth, Hart, Quirnbach, Sinclair, Smith and Wilhelm

### **House File 2333**

JUDICIARY: Petersen, Chair; Garrett and Taylor

**House File 2336**

EDUCATION: Hart, Chair; Bowman and Sinclair

**House File 2337**

LOCAL GOVERNMENT: Wilhelm, Chair; Allen and Breitbach

**House File 2341**

EDUCATION: Mathis, Chair; Kraayenbrink and Quirmbach

**House File 2345**

TRANSPORTATION: McCoy, Chair; Kraayenbrink and Quirmbach

**House File 2354**

JUDICIARY: Bisignano, Chair; Garrett and Taylor

**House File 2366**

HUMAN RESOURCES: Jochum, Chair; Ragan and Segebart

**House File 2370**

EDUCATION: Quirmbach, Chair; Hogg and Kraayenbrink

**House File 2377**

EDUCATION: Mathis, Chair; Behn and Hart

**House File 2392**

EDUCATION: Quirmbach, Chair; Schoenjahn and Sinclair

**House File 2414**

TRANSPORTATION: Bowman, Chair; Brase and Breitbach

**House File 2420**

JUDICIARY: Soddors, Chair; Kinney and Shipley

**House File 2421**

EDUCATION: Bowman, Chair; Dvorsky and Johnson



## FINAL COMMITTEE REPORTS OF BILL ACTION

### LOCAL GOVERNMENT

**Bill Title:** HOUSE FILE 2180, a bill for an act relating to requirements for the transfer of township funds raised for purposes of acquiring or repairing a public hall.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Taylor, Wilhelm, Smith, Allen, Bisignano, Brase, Breitbach, Guth, Hart, Quirmbach, and Sinclair. Nays, none. Absent, none.

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

#### ALSO:

**Bill Title:** HOUSE FILE 2267, a bill for an act related to civil service employees by providing cities with the authority to eliminate state residency requirements and modifying a city's authority to set distance or travel-based residency requirements.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Taylor, Wilhelm, Smith, Allen, Bisignano, Brase, Breitbach, Guth, Hart, Quirmbach, and Sinclair. Nays, none. Absent, none.

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

#### ALSO:

**Bill Title:** HOUSE FILE 2325, a bill for an act authorizing the severance of territory and transfer of services of a sanitary district by resolution.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Taylor, Wilhelm, Smith, Allen, Bisignano, Brase, Breitbach, Guth, Hart, Quirmbach, and Sinclair. Nays, none. Absent, none.

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

#### ALSO:

**Bill Title:** HOUSE FILE 2339, a bill for an act allowing benefited recreational lake districts and water quality districts to become members of watershed management authorities.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Taylor, Wilhelm, Smith, Allen, Bisignano, Brase, Breitbach, Guth, Hart, Quirmbach, and Sinclair. Nays, none. Absent, none.

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

**WAYS AND MEANS**

**Bill Title:** \*SENATE FILE 2300 (formerly SF 2285), a bill for an act relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Schultz, Seng, and Smith. Nays, 1: Bolkcom. Absent, 1: Quirmbach.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2300, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2301 (formerly SF 2100), a bill for an act relating to the Iowa educational savings plan trust and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Schultz, Seng, and Smith. Nays, none. Absent, 1: Quirmbach.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2301, and they were attached to the committee report.

**AMENDMENT FILED**

S-5059      S.F.      2253      Chaz Allen

# JOURNAL OF THE SENATE

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FIFTY-EIGHTH CALENDAR DAY  
THIRTY-FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, March 8, 2016

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

Prayer was offered by the Brown Family Singers, who sang the National Anthem. They were the guests of Senator Anderson.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Cade Olmstead.

The Journal of Monday, March 7, 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 March 7, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2148**, a bill for an act relating to the display of one registration plate on antique motor vehicles and sports cars.

Read first time and referred to committee on **Transportation**.

**House File 2353**, a bill for an act removing prohibitions on emergency management organization employees from holding elective office.

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

**House File 2386**, a bill for an act relating to grounds for termination of parental rights of an individual relative to sexual abuse.

Read first time and referred to committee on **Judiciary**.

**House File 2390**, a bill for an act concerning the contract bidding process for public improvement projects conducted by the state board of regents.

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

**House File 2413**, a bill for an act relating to reading proficiency assessments and intensive summer reading programs administered and provided by school districts.

Read first time and referred to committee on **Education**.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 9:16 a.m. until 1:15 p.m.

#### RECONVENED

The Senate reconvened at 1:27 p.m., President Jochum presiding.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bertrand and Zaun, until they arrive, on request of Senator Dix.

#### UNFINISHED BUSINESS (Deferred February 25, 2016)

#### **Senate File 2284**

The Senate resumed consideration of **Senate File 2284**, a bill for an act modifying the elements defining hate crimes, and providing penalties, deferred February 25, 2016.

Senator Chelgren offered amendment S-5036, filed by him on February 25, 2016, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S-5036 be adopted?” (S.F. 2284), the vote was:

Yeas, 18:

Anderson	Feenstra	Kraayenbrink	Sinclair
Behn	Garrett	Rozenboom	Smith
Chapman	Guth	Schultz	Zumbach
Chelgren	Johnson	Segebart	
Costello	Kapucian	Shipley	

Nays, 30:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dix	Kinney	Seng
Bolkcom	Dotzler	Mathis	Sodders
Bowman	Dvorsky	McCoy	Taylor
Brase	Gronstal	Petersen	Whitver
Breitbach	Hart	Quirmbach	Wilhelm
Courtney	Hogg	Ragan	
Danielson	Horn	Schneider	

Absent, 2:

Bertrand	Zaun
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Amendment S-5036 lost.

Senator Chelgren withdrew amendment S-5031, filed by him on February 25, 2016, to page 1 of the bill.

Senator Chapman offered amendment S-5035, filed by him on February 25, 2016, to page 1 of the bill.

Senator McCoy raised the point of order that amendment S-5035 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5035 out of order.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2284), the vote was:

Yeas, 27:

Allen	Dearden	Jochum	Schneider
Bisignano	Dotzler	Kinney	Schoenjahn
Bolkcom	Dvorsky	Mathis	Seng
Bowman	Gronstal	McCoy	Sodders
Brase	Hart	Petersen	Taylor
Courtney	Hogg	Quirmbach	Wilhelm
Danielson	Horn	Ragan	

Nays, 21:

Anderson	Dix	Kraayenbrink	Smith
Behn	Feenstra	Rozenboom	Whitver
Breitbach	Garrett	Schultz	Zumbach
Chapman	Guth	Segebart	
Chelgren	Johnson	Shipley	
Costello	Kapucian	Sinclair	

Absent, 2:

Bertrand	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2101.

#### **Senate File 2101**

On motion of Senator Ragan, **Senate File 2101**, a bill for an act appropriating funds for a supported employment provider rate increase, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Ragan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2101), the vote was:

Yeas, 48:

Allen	Danielson	Jochum	Schoenjahn
Anderson	Dearden	Johnson	Schultz
Behn	Dix	Kapucian	Segebart
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Kraayenbrink	Shiple
Bowman	Feenstra	Mathis	Sinclair
Brase	Garrett	McCoy	Smith
Breitbach	Gronstal	Petersen	Sodders
Chapman	Guth	Quirmbach	Taylor
Chelgren	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zumbach

Nays, none.

Absent, 2:

Bertrand	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2101 and 2284** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2204 and 2190.

#### **Senate File 2204**

On motion of Senator McCoy, **Senate File 2204**, a bill for an act relating to insurance coverage for the assessment and treatment of eating disorders and including applicability date provisions, was taken up for consideration.

Senator McCoy offered amendment S-5061, filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment S-5061 was adopted by a voice vote.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2204), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Nays, 22:

Anderson	Dix	Kraayenbrink	Sinclair
Behn	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zumbach
Chelgren	Johnson	Segebart	
Costello	Kapucian	Shipley	

Absent, 2:

Bertrand	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2190

On motion of Senator Sodders, **Senate File 2190**, a bill for an act establishing a statewide chemical substance abuse monitoring pilot program, was taken up for consideration.



Senator Sodders offered amendment S-5065, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5065 was adopted by a voice vote.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2190), the vote was:

Yeas, 36:

Allen	Courtney	Hogg	Quirmbach
Anderson	Danielson	Horn	Ragan
Bisignano	Dearden	Jochum	Schoenjahn
Bolkcom	Dotzler	Kapucian	Seng
Bowman	Dvorsky	Kinney	Shiple
Brase	Garrett	Kraayenbrink	Sodders
Breitbach	Gronstal	Mathis	Taylor
Chelgren	Guth	McCoy	Whitver
Costello	Hart	Petersen	Wilhelm

Nays, 12:

Behn	Feenstra	Schneider	Sinclair
Chapman	Johnson	Schultz	Smith
Dix	Rozenboom	Segebart	Zumbach

Absent, 2:

Bertrand	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2190** and **2204** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2218 and 2248.

## Senate File 2218

On motion of Senator Bolkcom, **Senate File 2218**, a bill for an act relating to the possession and administration of emergency drugs by first responders and other persons in a position to assist for purposes of treating drug overdose victims and including contingent implementation provisions, was taken up for consideration.

Senator Bolkcom offered amendment S-5023, filed by him on February 23, 2016, to page 1 of the bill, and moved its adoption.

Amendment S-5023 was adopted by a voice vote.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2218), the vote was:

Yeas, 48:

Allen	Danielson	Jochum	Schoenjahn
Anderson	Dearden	Johnson	Schultz
Behn	Dix	Kapucian	Segebart
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Kraayenbrink	Shipley
Bowman	Feenstra	Mathis	Sinclair
Brase	Garrett	McCoy	Smith
Breitbach	Gronstal	Petersen	Sodders
Chapman	Guth	Quirmbach	Taylor
Chelgren	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zumbach

Nays, none.

Absent, 2:

Bertrand	Zaun
----------	------

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2248

On motion of Senator Bowman, **Senate File 2248**, a bill for an act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable, was taken up for consideration.

Senator Bowman offered amendment S-5060, filed by him from the floor to pages 1-6 and 8 of the bill.

Senator Kapucian asked and received unanimous consent that action on amendment S-5060 and **Senate File 2248** be **deferred**.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2218** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:36 p.m. until 9:00 a.m., Wednesday, March 9, 2016.

## APPENDIX

### CERTIFICATES OF RECOGNITION

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

Macy Gudenkauf, Manchester—For achieving the Prudential Spirit of Community Award. Senator Zumbach.

Pat Harney, Iowa City—For his 16 years of dedicated public service to Johnson County. Senator Dvorsky.

### REPORT OF COMMITTEE MEETING

#### VETERANS AFFAIRS

**Convened:** Tuesday, March 08, 2016, 1:00 p.m.

**Members Present:** Horn, Chair; Mathis, Vice Chair; Segebart, Ranking Member; Allen, Costello, Danielson, Hart, Ragan, and Soddors.

**Members Absent:** Chelgren and Rozenboom (both excused).

**Committee Business:** Passed HF 2266, as amended.

**Adjourned:** 1:05 p.m.

## INTRODUCTION OF BILL

**Senate File 2302**, by Hogg, a bill for an act relating to the funding of the water quality initiative, by supporting selected watersheds, making appropriations to a water quality initiative fund for agriculture and a water quality initiative fund for communities, and including effective date provisions.

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

## SUBCOMMITTEE ASSIGNMENTS

### **Senate File 2280**

APPROPRIATIONS: Dotzler, Chair; Chapman and Dvorsky

### **House File 2353**

STATE GOVERNMENT: Bowman, Chair; Chapman and Schoenjahn

### **House File 2363**

STATE GOVERNMENT: Dvorsky, Chair; Bowman and Johnson

### **House File 2364**

STATE GOVERNMENT: Courtney, Chair; Dearden and Johnson

### **House File 2372**

JUDICIARY: Soddors, Chair; Taylor and Zaun

### **House File 2390**

STATE GOVERNMENT: Danielson, Chair; Feenstra and Horn

### **House File 2401**

COMMERCE: Courtney, Chair; Anderson and Schoenjahn

**House File 2406**

STATE GOVERNMENT: Danielson, Chair; Chapman and Horn

**House File 2413**

EDUCATION: Quirmbach, Chair; Bowman and Sinclair

**FINAL COMMITTEE REPORT OF BILL ACTION****VETERANS AFFAIRS****Bill Title:** HOUSE FILE 2266, a bill for an act concerning unclaimed cremated remains.**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5068.**Final Vote:** Ayes, 9: Horn, Mathis, Segebart, Allen, Costello, Danielson, Hart, Ragan, and Sodders. Nays, none. Absent, 2: Chelgren and Rozenboom.**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.**BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR**

The Secretary of the Senate submitted the following reports:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 8th day of March, 2016.

Senate File 2288.

MICHAEL E. MARSHALL  
Secretary of the Senate

**AMENDMENTS FILED**

S-5060	S.F.	2248	Tod R. Bowman
S-5061	S.F.	2204	Matt McCoy
S-5062	S.F.	2267	Janet Petersen
S-5063	S.F.	2272	Steven J. Sodders
S-5064	S.F.	2248	Randy Feenstra
S-5065	S.F.	2190	Steven J. Sodders
S-5066	S.F.	2267	Janet Petersen
S-5067	S.F.	2301	Janet Petersen
S-5068	H.F.	2266	Veterans Affairs

S-5069	S.F.	2113	Jeff Danielson Thomas G. Courtney Jake Chapman William A. Dotzler, Jr. Rick Bertrand Brian Schoenjahn Rich Taylor Wally E. Horn Michael Breitbach Jack Whitver Tim Kraayenbrink Bill Anderson
S-5070	S.F.	2278	Chris Brase

# JOURNAL OF THE SENATE

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FIFTY-NINTH CALENDAR DAY  
THIRTY-FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, March 9, 2016

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

Prayer was offered by Pastor Bob Anderson of the Sunnyside Bible Chapel in Atlantic, Iowa. He was the guest of Senator Costello.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Michael Kauzlarich and Nicole Bendt, IJAG students from Creston, Iowa.

The Journal of Tuesday, March 8, 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 March 8, 2016, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 2159**, a bill for an act relating to public health including public health modernization and boards of health.

ALSO: That the House has on March 8, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2357**, a bill for an act relating to turtle harvesting in the state and including effective date provisions.

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

**House File 2399**, a bill for an act relating to domestic abuse and other offenses involving a domestic relationship, and providing penalties.

Read first time and referred to committee on **Judiciary**.

#### SPECIAL GUEST

Senator Schultz introduced to the Senate chamber the Honorable Nancy J. Boettger, former member of the Senate from Shelby County, Harlan, Iowa.

The Senate rose and expressed its welcome.

The Senate stood at ease at 9:10 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:48 a.m., President Jochum presiding.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bertrand, Chelgren, and Zaun, until they arrive, on request of Senator Whitver; and Senator Wilhelm, until she returns, on request of Senator Gronstal.

#### UNFINISHED BUSINESS (Deferred March 8, 2016)

#### **Senate File 2248**

The Senate resumed consideration of **Senate File 2248**, a bill for an act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable, and amendment S-5060, deferred March 8, 2016.

Senator Bowman moved the adoption of amendment S-5060.

Amendment S-5060 was adopted by a voice vote.



Senator Feenstra withdrew amendment S-5064, filed by him on March 8, 2016, to page 9 of the bill.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2248), the vote was:

Yeas, 45:

Allen	Dearden	Kapucian	Segebart
Anderson	Dix	Kinney	Seng
Behn	Dotzler	Kraayenbrink	Shiple
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Feenstra	McCoy	Smith
Bowman	Garrett	Petersen	Sodders
Brase	Gronstal	Quirnbach	Taylor
Breitbach	Guth	Ragan	Whitver
Chapman	Hart	Rozenboom	Zumbach
Costello	Hogg	Schneider	
Courtney	Horn	Schoenjahn	
Danielson	Jochum	Schultz	

Nays, 1:

Johnson

Absent, 4:

Bertrand	Chelgren	Wilhelm	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2248** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:57 a.m. until 9:00 a.m., Thursday, March 10, 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:

#### AUDITOR OF STATE

Iowa Department of Transportation, Office of Aviation 1/1/14–2/28/15 Report, pursuant to Iowa Code section 11.6. Report received on March 9, 2016.

Iowa Homeland Security and Emergency Management Department, E911 Cost Data 7/1/12–6/30/14 Report, pursuant to Iowa Code section 11.6. Report received on March 9, 2016.

Special Investigation of the City of Harris 7/1/11–9/30/14, pursuant to Iowa Code section 11.6. Report received on March 9, 2016.

Special Investigation of the Clinton High School Band Boosters 8/1/14–5/31/15, pursuant to Iowa Code section 11.6. Report received on March 9, 2016.

#### DEPARTMENT OF CORRECTIONS

Corrections Monthly Report Through February 29 2016, pursuant to Iowa Code section 904.116. Report received on March 9, 2016.

#### DEPARTMENT OF EDUCATION

Iowa Early Education Block Grant Program Report, pursuant to Iowa Code section 256D.3. Report received on March 9, 2016.

#### BOARD OF REGENTS

Span of Control Policy Report, pursuant to Iowa Code section 262.9C(5). Report received on March 9, 2016.

### CERTIFICATE OF RECOGNITION

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

Don Hoth, Waterloo—For his outstanding leadership in the creation of the Black Hawk County Gaming Association and the enhancements it has brought to Cedar Valley. Senator Dotzler.

## REPORTS OF COMMITTEE MEETINGS

### COMMERCE

**Convened:** Wednesday, March 09, 2016, 10:05 a.m.

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

**Members Absent:** McCoy, Vice Chair; Bertrand, and Schoenjahn (all excused).

**Committee Business:** Discussed HFs 2261 and 2401.

**Adjourned:** 10:15 a.m.

### HUMAN RESOURCES

**Convened:** Wednesday, March 09, 2016, 2:35 p.m.

**Members Present:** Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, and Taylor.

**Members Absent:** Chelgren and Wilhelm (both excused).

**Committee Business:** Passed HF 2387 and withdrew HF 2366.

**Adjourned:** 2:55 p.m.

### STATE GOVERNMENT

**Convened:** Wednesday, March 09, 2016, 1:10 p.m.

**Recessed:** 1:15 p.m.

**Reconvened:** 1:50 p.m.

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

**Members Absent:** Bertrand, Ranking Member (excused).

**Committee Business:** Passed HFs 2146, 2353, and 2364; and passed HF 2363, as amended.

**Adjourned:** 1:55 p.m.

### TRANSPORTATION

**Convened:** Wednesday, March 09, 2016, 2:35 p.m.

**Recessed:** 2:40 p.m.

**Reconvened:** 3:10 p.m.

**Members Present:** Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbach, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, McCoy, Quirmbach, and Smith.

**Members Absent:** None.

**Committee Business:** Passed HF's 588, 617, and 2345, all as amended; and passed HF's 2356 and 2414.

**Adjourned:** 3:30 p.m.

## STUDY BILL RECEIVED

### SSB 3171      **Ways and Means**

Relating to state taxation by temporarily updating the Code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions, rescinding certain administrative rules and rule amendments and modifying the sales tax exemptions related to the purchase of items used in manufacturing and other activities, and including effective date and retroactive applicability provisions.

## SUBCOMMITTEE ASSIGNMENTS

### **Senate File 2290**

APPROPRIATIONS: Schoenjahn, Chair; Dvorsky and Rozenboom

### **House File 2357**

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

### **House File 2401**

(Reassigned)

COMMERCE: Courtney, Chair; Allen, Anderson, Bertrand, Bolkcom, Mathis, McCoy, Petersen, Schneider, Schoenjahn, Seng, Sinclair, Smith, Soddors, and Zumbach

### **House File 2405**

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

### **SSB 3171**

WAYS AND MEANS: Hogg, Chair; Bolkcom and Feenstra

## FINAL COMMITTEE REPORTS OF BILL ACTION

### COMMERCE

**Bill Title:** HOUSE FILE 2261, a bill for an act authorizing political subdivisions to invest in certain joint investment trusts that are operated in accordance with the governmental accounting standards board.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Petersen, Anderson, Allen, Bolkcom, Courtney, Mathis, Schneider, Seng, Sinclair, Smith, Soddors, and Zumbach. Nays, none. Absent, 3: McCoy, Bertrand, and Schoenjahn.

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

### ALSO:

**Bill Title:** HOUSE FILE 2401, a bill for an act prohibiting persons from opening or using a credit card in the name of a minor without the consent of the minor's parent, guardian, or legal custodian, and providing criminal penalties.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Petersen, Anderson, Allen, Bolkcom, Courtney, Mathis, Schneider, Seng, Sinclair, Smith, Soddors, and Zumbach. Nays, none. Absent, 3: McCoy, Bertrand, and Schoenjahn.

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

### HUMAN RESOURCES

**Bill Title:** HOUSE FILE 2387, a bill for an act requiring the dental board to offer an alternative examination for licensure.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Mathis, Ragan, Johnson, Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, and Taylor. Nays, none. Absent, 2: Chelgren and Wilhelm.

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

### STATE GOVERNMENT

**Bill Title:** HOUSE FILE 2146, a bill for an act authorizing the dispensing of lottery tickets and products by self-service kiosks, and including effective date provisions.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Danielson, Courtney, Bowman, Chapman, Dearden, Dvorsky, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver. Nays, 1: Feenstra. Absent, 1: Bertrand.

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

**ALSO:**

**Bill Title:** HOUSE FILE 2353, a bill for an act removing prohibitions on emergency management organization employees from holding elective office.

**Recommendation:** DO PASS.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2363, a bill for an act relating to member attendance and confidentiality at a closed session of a governmental body and providing penalties.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5072.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2364, a bill for an act relating to public notice and the accessibility of meetings of governmental bodies.

**Recommendation:** DO PASS.

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

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

## TRANSPORTATION

**Bill Title:** HOUSE FILE 588, a bill for an act relating to the issuance of persons with disabilities removable windshield parking placards, and including effective date and applicability provisions.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5073.

**Final Vote:** Ayes, 12: Bowman, Dvorsky, Kapucian, Brase, Breitbach, Danielson, Dearden, Horn, Kraayenbrink, McCoy, Quirnbach, and Smith. Nays, none. Absent, 1: Feenstra.

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

**ALSO:**

**Bill Title:** HOUSE FILE 617, a bill for an act providing for special vehicle registration plates displaying a decal designed and issued by a nonprofit organization, providing fees, making a penalty applicable, and including effective date provisions.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5074.

**Final Vote:** Ayes, 12: Bowman, Dvorsky, Kapucian, Brase, Breitbach, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, McCoy, and Smith. Nays, 1: Quirnbach. Absent, none.

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

**ALSO:**

**Bill Title:** HOUSE FILE 2356, a bill for an act providing for the towing of certain implements of husbandry in tandem among manufacturers, retail sellers, and farm purchasers.

**Recommendation:** DO PASS.

**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:** HOUSE FILE 2414, a bill for an act providing for the regulation of transportation network companies, and including applicability provisions.

**Recommendation:** DO PASS.

**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.

## BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 9, 2016, the Governor approved and transmitted to the Secretary of State the following bill:

**Senate File 2288** – Relating to the confidentiality of juvenile court records in delinquency proceedings.

## AMENDMENTS FILED

S-5071	S.F.	2267	Julian B. Garrett
S-5072	H.F.	2363	State Government
S-5073	H.F.	588	Transportation
S-5074	H.F.	617	Transportation



# JOURNAL OF THE SENATE

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SIXTIETH CALENDAR DAY  
THIRTY-SIXTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, March 10, 2016

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

Prayer was offered by The Most Reverend Richard Pates of the Des Moines Diocese. He was the guest of Senator Schneider.

## PLEDGE OF ALLEGIANCE

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

The Journal of Wednesday, March 9, 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 March 9, 2016, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 2181**, a bill for an act relating to the funding and operation of programs to collect and dispose of household hazardous materials.

ALSO: That the House has on March 9, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2329**, a bill for an act prohibiting certain actions regarding fetal body parts, providing penalties, and including effective date and applicability provisions.

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

**House File 2394**, a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties.

Read first time and attached to **similar Senate File 2291**.

### RECESS

On motion of Senator Gronstal, the Senate recessed at 9:04 a.m. until 1:30 p.m.

### RECONVENED

The Senate reconvened at 1:35 pm, President Jochum presiding.

### BILLS REFERRED TO UNFINISHED BUSINESS CALENDAR

Senator Gronstal asked and received unanimous consent that the following Senate Files be referred from the Regular Calendar to the Unfinished Business Calendar:

S.F. 2060 and attached H.F. 2282  
S.F. 2062 and attached H.F. 2270  
S.F. 2150 and attached H.F. 2326  
S.F. 2157 and attached H.F. 2273  
S.F. 2169 and attached H.F. 2415  
S.F. 2184 and attached H.F. 2335  
S.F. 2188  
S.F. 2249 and attached H.F. 2344  
S.F. 2278 and attached H.F. 2269  
S.F. 2283 and attached H.F. 2359  
S.F. 2291 and attached H.F. 2394  
S.F. 2296  
S.F. 2297  
S.F. 2298  
S.F. 2299  
S.F. 2300  
S.F. 2301  
S.F. 2303

## BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following Senate Files and Senate Resolutions be referred from the Regular Calendar to the following committees:

- S.F. 2069 to State Government
- S.F. 2113 to Ways and Means
- S.F. 2160 to Human Resources
- S.F. 2186 to Judiciary
- S.F. 2193 to Labor and Business Relations
- S.F. 2226 to Judiciary
- S.F. 2238 to Human Resources
- S.F. 2239 to Judiciary
- S.F. 2240 to Judiciary
- S.F. 2243 to Labor and Business Relations
- S.F. 2250 to Human Resources
- S.F. 2253 to Commerce
- S.F. 2256 to State Government
- S.F. 2262 to Judiciary
- S.F. 2267 to Judiciary
- S.F. 2272 to Judiciary
- S.F. 2286 to Natural Resources
- S.F. 2287 to State Government
- S.J.R. 1 to Rules and Administration
- S.J.R. 2004 to Natural Resources and Environment

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:41 p.m. until 1:00 p.m., Monday, March 14, 2016.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### EDUCATION

**Convended:** Thursday, March 10, 2016, 10:05 a.m.

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

**Reconvended:** 10:40 a.m.

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

**Members Absent:** Wilhelm and Zaun (both excused).

**Committee Business:** Discussed HFs 2264, 2324, 2336, 2341, 2370, 2377, 2392, 2413, and 2421.

**Adjourned:** 11:15 a.m.

## JUDICIARY

**Convened:** Thursday, March 10, 2016, 11:35 a.m.

**Recessed:** 11:40 a.m.

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

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

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

**Committee Business:** Passed HFs 493, 2064, 2373, and 2399, all as amended; and passed HFs 2265, 2278, 2314, 2333 (without recommendation), 2354, 2386, 2400, and 2420.

**Adjourned:** 12:50 p.m.

## LABOR AND BUSINESS RELATIONS

**Convened:** Thursday, March 10, 2016, 10:00 a.m.

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

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

**Committee Business:** Passed HFs 2268 and 2274.

**Adjourned:** 10:15 a.m.

## NATURAL RESOURCES AND ENVIRONMENT

**Convened:** Thursday, March 10, 2016, 12:55 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 HF's 2283, 2342, 2343, 2357, and 2385.

**Adjourned:** 1:30 p.m.

## WAYS AND MEANS

**Convened:** Thursday, March 10, 2016, 9:35 a.m.

**Members Present:** Bolkcom, Chair; Allen, Vice Chair; Feenstra, Ranking Member; Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schultz, Seng, and Smith.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 9:45 a.m.

## INTRODUCTION OF RESOLUTION

**Senate Resolution 107**, by Guth, a resolution recognizing July 16, 2016, as Iowa Atomic Veterans Day.

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

## INTRODUCTION OF BILL

**Senate File 2303**, by committee on Ways and Means, a bill for an act relating to state taxation by temporarily updating the Code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions, rescinding certain administrative rules and rule amendments and modifying the sales tax exemptions related to the purchase of items used in manufacturing and other activities, and including effective date and retroactive applicability provisions.

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

## SUBCOMMITTEE ASSIGNMENT

### House File 2329

HUMAN RESOURCES: Bolkcom, Chair; Dotzler and Johnson

## FINAL COMMITTEE REPORTS OF BILL ACTION

**EDUCATION**

**Bill Title:** HOUSE FILE 2264, a bill for an act concerning varsity athletics eligibility of students in open enrollment subjected to harassment or bullying.

**Recommendation:** DO PASS.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2324, a bill for an act providing for a computer science advisory council to be convened by the director of the department of education.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5077.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2336, a bill for an act relating to the duties and authority of the state board of education, the department of education, and local school districts and to the programs and activities under the purview of the state board and the department.

**Recommendation:** DO PASS.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2341, a bill for an act relating to the operation of certain schools under the purview of the college student aid commission.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5078.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2370, a bill for an act relating to exemptions from registration of postsecondary schools by the college student aid commission.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5079.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2377, a bill for an act relating to the rural Iowa primary care and the rural Iowa advanced registered nurse practitioner and physician assistant loan repayment programs.

**Recommendation:** DO PASS.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2392, a bill for an act providing for academic and career guidance and career and technical education programs and requirements and workplace learning programs, and including effective date provisions.

**Recommendation:** WITHOUT RECOMMENDATION.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2413, a bill for an act relating to reading proficiency assessments and intensive summer reading programs administered and provided by school districts.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Quirmbach, Schoenjahn, Sinclair, Behn, Bowman, Dvorsky, Hogg, Kinney, Kraayenbrink, Mathis, and Schultz. Nays, 2: Hart and Johnson. Absent, 2: Wilhelm and Zaun.

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

**ALSO:**

**Bill Title:** HOUSE FILE 2421, a bill for an act relating to coaching authorizations issued by the board of educational examiners and to certain emergency medical procedures training requirements, and including applicability provisions.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5080.

**Final Vote:** Ayes, 9: Quirmbach, Schoenjahn, Bowman, Dvorsky, Hart, Hogg, Johnson, Kinney, and Mathis. Nays, 4: Sinclair, Behn, Kraayenbrink, and Schultz. Absent, 2: Wilhelm and Zaun.

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

## JUDICIARY

**Bill Title:** HOUSE FILE 2265, a bill for an act relating to the disclosure of an address confidentiality program participant's address in certain legal proceedings.

**Recommendation:** DO PASS.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2333, a bill for an act relating to consent decrees in juvenile delinquency proceedings.

**Recommendation:** DO PASS.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2354, a bill for an act relating to electronic recordings of court proceedings within a magistrate's jurisdiction.

**Recommendation:** DO PASS.



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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2373, a bill for an act relating to the organization and administration of limited partnerships and limited liability companies doing business in Iowa.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5081.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2400, a bill for an act providing for voidable commercial transactions and including applicability provisions.

**Recommendation:** DO PASS.

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

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

## LABOR AND BUSINESS RELATIONS

**Bill Title:** HOUSE FILE 2268, a bill for an act concerning the confidentiality of public employee support information submitted to the public employment relations board.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Bisignano, Seng, Shipley, Brase, Costello, Courtney, Dearden, Dotzler, Sodders, and Whitver. Nays, none. Absent, 1: Bertrand.

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

**ALSO:**

**Bill Title:** HOUSE FILE 2274, a bill for an act concerning documentation of age for purposes of obtaining a child labor permit.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Bisignano, Seng, Shipley, Brase, Costello, Courtney, Dearden, Dotzler, Soddors, and Whitver. Nays, none. Absent, 1: Bertrand.

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

#### **NATURAL RESOURCES AND ENVIRONMENT**

**Bill Title:** HOUSE FILE 2342, a bill for an act relating to signatures and other writing on applications for hunting, fishing, and fur harvester licenses.

**Recommendation:** DO PASS.

**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:** HOUSE FILE 2343, a bill for an act relating to possession and storage of game or fur-bearing animals and their pelts and including penalties.

**Recommendation:** DO PASS.

**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:** HOUSE FILE 2357, a bill for an act relating to turtle harvesting in the state and including effective date provisions.

**Recommendation:** DO PASS.

**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.

#### **TRANSPORTATION**

**Bill Title:** HOUSE FILE 2345, a bill for an act requiring annual reports by county engineers and the department of transportation on the use of road use tax fund moneys to replace or repair structurally deficient bridges under county jurisdiction.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5075.

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

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

**WAYS AND MEANS**

**Bill Title:** SENATE FILE 2303 (SSB 3171), a bill for an act relating to state taxation by temporarily updating the Code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions, rescinding certain administrative rules and rule amendments and modifying the sales tax exemptions related to the purchase of items used in manufacturing and other activities, and including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, none.

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

**APPOINTMENTS**

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

ACCOUNTANCY EXAMINING BOARD (Sec. 542.4)

Dirk Dixon, West Des Moines	05/01/2016 – 04/30/2019
Ying Sa, Des Moines	05/01/2016 – 03/30/2019
Laura Walker, Peosta	05/01/2016 – 04/30/2019

AFRICAN AMERICANS, COMMISSION ON THE STATUS OF (Sec. 216A.142)

Dr. Ahmadu Baba-Singhri, Des Moines	05/01/2016 – 04/30/2020
Michael Hulme, Bondurant	05/01/2016 – 04/30/2020
Miranda Mathis, Story City	05/01/2016 – 04/30/2020
Clair Rudison, Jr., Des Moines	05/01/2016 – 04/30/2020

AGING, COMMISSION ON (Sec. 231.11)

Richard Motz, Sioux City	05/01/2016 – 04/30/2020
Richard Stone, Indianola	05/01/2016 – 04/30/2020

AGRICULTURAL DEVELOPMENT BOARD (Sec. 16.2C) Lyle Borg, Pella	05/01/2016 – 04/30/2022
ALCOHOLIC BEVERAGES COMMISSION (Sec. 123.5) John Pauli, Carroll	05/01/2016 – 04/30/2021
ARCHITECTURAL EXAMINING BOARD (Sec. 544A.1) Kolby DeWitt, Sioux City Emily Forquer, Afton	05/01/2016 – 04/30/2019 05/01/2016 – 04/30/2019
ASIAN AND PACIFIC ISLANDER AFFAIRS, COMMISSION OF (Sec. 216A.152) Peggy La, Sioux City Jo Matibag, Ames	05/01/2016 – 04/30/2020 05/01/2016 – 04/30/2020
ATHLETIC TRAINING, BOARD OF (Sec. 147.14(1)(r)) Christopher Kamm, Dubuque Christopher Wiedmann, Des Moines	05/01/2016 – 04/30/2019 05/01/2016 – 04/30/2019
AUTISM COUNCIL, IOWA (Sec. 256.35A) James Curry, Des Moines Dr. Matthew O'Brien, Bettendorf James Paprocki, Boone	05/01/2016 – 04/30/2019 05/01/2016 – 04/30/2019 05/01/2016 – 04/30/2019
BARBERING, BOARD OF (Sec. 147.14(1)(a)) Rebecca Brockmann, Hartley Daniel Butler, Waterloo Valerie Felton, Davenport Terry Moll, Des Moines	05/01/2016 – 04/30/2018 05/01/2016 – 04/30/2019 05/01/2016 – 04/30/2018 05/01/2016 – 04/30/2017
BEHAVIORAL SCIENCE, BOARD OF (Sec. 147.14(1)(m)) Lindsey Nielsen, Missouri Valley Erik Oostenink, Urbandale Jill Struyk, Des Moines Sarah Thomas, Nevada	05/01/2016 – 04/30/2018 05/01/2016 – 04/30/2019 05/01/2016 – 04/30/2019 05/01/2016 – 04/30/2019
BLIND, COMMISSION FOR THE (Sec. 216B.2) Joseph Van Lent, Des Moines	05/01/2016 – 04/30/2019
CAPITAL INVESTMENT BOARD, IOWA (Sec. 15E.63) Gordon Neumann, Des Moines	05/01/2016 – 04/30/2021
CHIROPRACTIC, BOARD OF (Sec. 147.14(1)(h)) Dr. Jason Wall, Dyersville	05/01/2016 – 04/30/2019
CITY DEVELOPMENT BOARD (Sec. 368.9) James Halverson, Cedar Rapids	05/01/2016 – 04/30/2020

## COMMUNITY ACTION AGENCIES, COMMISSION ON (Sec. 216A.92A)

John Murphy, Dubuque	05/01/2016 – 04/30/2019
Melissa Thompson, Des Moines	05/01/2014 – 04/30/2019

## COSMETOLOGY ARTS AND SCIENCES, BOARD OF (Sec. 147.14(1)(n))

Robert Thompson, Iowa City	05/01/2016 – 04/30/2019
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## CREDIT UNION REVIEW BOARD (Sec. 533.107)

Karyn Finn, Hudson	05/01/2016 – 04/30/2019
Jeffrey Hayes, Cherokee	05/01/2016 – 04/30/2019
Scott Zahnle, Ames	05/01/2016 – 04/30/2019

## CULTURAL TRUST, BOARD OF TRUSTEES OF THE IOWA (Sec. 303A.5)

Mary Ellen Kimball, Osceola	05/01/2016 – 04/30/2021
Brandon Paulsen, Des Moines	05/01/2016 – 04/30/2021
Connie Schmett, Clive	05/01/2016 – 04/30/2021

## DEAF SERVICES, COMMISSION OF (Sec. 216A.113)

Michael B. Ballard, Boone	05/01/2016 – 04/30/2017
William Felderman, Ankeny	05/01/2016 – 04/30/2020
Christina Herrin, Iowa City	05/01/2016 – 04/30/2020
Jennifer Keaton, Mt Vernon	05/01/2016 – 04/30/2020

## DENTISTRY, BOARD OF (Sec. 147.14(1)(d))

Dr. Steven Bradley, Cascade	05/01/2016 – 04/30/2019
Monica Foley, Bettendorf	05/01/2016 – 04/30/2019
Thomas Jeneary, Le Mars	05/01/2016 – 04/30/2019

## DISABILITIES, COMMISSION OF PERSONS WITH (Sec. 216A.74)

Joe Hickey, Dubuque	05/01/2016 – 04/30/2020
Prakash Kopperapu, West Des Moines	05/01/2016 – 04/30/2020

## DRUG POLICY ADVISORY COUNCIL, IOWA (Sec. 80E.2)

David Lorenzen, Waukee	05/01/2016 – 04/30/2020
Christina Wilson, Johnston	05/01/2016 – 04/30/2020

## EARLY CHILDHOOD IOWA STATE BOARD (Sec. 256I.3)

Richard Clewell, Davenport	05/01/2016 – 04/30/2019
Elizabeth Colby Plautz, Fort Dodge	05/01/2016 – 04/23/2019
Judy Janning-Reicks, Pella	05/01/2016 – 04/30/2019

## EDUCATION, STATE BOARD OF (Sec. 256.3)

Bettie Bolar, Marshalltown	05/01/2016 – 04/30/2022
Michael Knedler, Council Bluffs	05/01/2016 – 04/30/2022

## EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3)

Thomas Buckman, Burlington	05/01/2016 – 04/30/2020
Dr. Jay Prescott, Urbandale	05/01/2016 – 04/30/2020
Dr. Anne Sullivan, Des Moines	05/01/2016 – 04/30/2020

## ELECTRICAL EXAMINING BOARD (Sec. 103.2)

Kyle Barnhart, Muscatine	05/01/2016 – 04/30/2019
John Claeys, Blue Grass	05/01/2016 – 04/30/2019
David Guthrie, Grimes	05/01/2016 – 04/30/2019

## ELEVATOR SAFETY BOARD (Sec. 89A.13)

Kerry Dixon, Ames	05/01/2016 – 04/30/2017
Peggy VandenBerg, Albia	05/01/2016 – 04/30/2018

## EMPLOYMENT APPEAL BOARD (Sec. 10A.601)

James Strohmman, Ames	05/01/2016 – 04/30/2022
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## ENGINEERING AND LAND SURVEYING EXAMINING BOARD (Sec. 542B.3)

Robert Fairfax, Norwalk	05/01/2016 – 04/30/2019
Eric Green, Creston	05/01/2016 – 04/30/2019

## ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA (Sec. 68B.32)

Carole Tillotson, Windsor Heights	05/01/2016 – 04/30/2022
John Walsh, Dubuque	05/01/2016 – 04/30/2022

## GRAIN INDEMNITY FUND BOARD, IOWA (Sec. 203D.4)

Monica Bieri, Letts	05/01/2016 – 04/30/2019
Curtis Sindergard, Rolfe	05/01/2016 – 04/30/2019

## GREAT PLACES BOARD, IOWA (Sec. 303.3C)

Barbara Determan, Early	05/01/2016 – 04/30/2019
Greg Fisher, West Des Moines	05/01/2016 – 04/30/2019
Emily Meyer, Cedar Rapids	05/01/2016 – 04/30/2019

## HEALTHY AND WELL KIDS IN IOWA (HAWK-I) BOARD (Sec. 514I.5)

Dr. Mariannette Miller-Meeks, Ottumwa	05/01/2016 – 04/30/2018
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## HIGHER EDUCATION LOAN AUTHORITY, IOWA (Sec. 261A.6)

Dr. Edward Rogalski, Davenport	05/01/2016 – 04/30/2022
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## HUMAN RIGHTS, DIRECTOR OF THE DEPARTMENT OF (Sec. 216A.2)

San Wong, Urbandale	07/11/2015 – Pleasure of the Governor
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## HUMAN SERVICES, COUNCIL ON (Sec. 217.2)

Kimberly Kudej, Swisher	05/01/2016 – 04/30/2017
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## INFORMATION OFFICER, CHIEF (Sec. 8B.2)

Robert S. von Wolfradt, Mitchellville	04/27/2016 – Pleasure of the Governor
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## INTERIOR DESIGN EXAMINING BOARD (Sec. 544C.2)

Todd Mithelman, Johnston	05/01/2016 – 04/30/2019
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## IPERS, CHIEF EXECUTIVE OFFICER OF THE (Sec. 97B.3(1))

Donna Mueller, Windsor Heights	05/01/2016 – 04/30/2020
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## IPERS, INVESTMENT BOARD OF THE (Sec. 97B.8A)

Phyllis Peterson, Cedar Rapids	05/01/2016 – 04/30/2022
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## JUDICIAL NOMINATING COMMISSION, STATE (Sec. 46.2A)

Helen Sinclair, Melrose	05/01/2016 – 04/30/2022
Steve Sukup, Clear Lake	05/01/2016 – 04/30/2022
Dr. Christina Taylor, West Des Moines	05/01/2016 – 04/30/2022

## LANDSCAPE ARCHITECTURAL EXAMINING BOARD (Sec. 544B.3)

Emily Naylor, Urbandale	05/01/2016 – 04/30/2018
Brenda Nelson, Iowa City	05/01/2016 – 04/30/2019

## LATINO AFFAIRS, COMMISSION OF (Sec. 216A.12)

Marlu Abarca, Des Moines	05/01/2016 – 04/30/2018
Jeannette Martinez, Clive	05/01/2016 – 04/30/2020

Michelle Reuss, Riverside	05/01/2016 – 04/30/2020
Juan Rodriguez, Des Moines	05/01/2016 – 04/30/2020

## LAW ENFORCEMENT ACADEMY COUNCIL, IOWA (Sec. 80B.6)

Regina Clemens, Granger	05/01/2016 – 04/30/2020
Michael Tupper, Marshalltown	05/01/2016 – 04/30/2020

## LOTTERY AUTHORITY BOARD OF DIRECTORS, IOWA (Sec. 99G.8)

Mary Junge, Cedar Rapids	05/01/2016 – 04/30/2020
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## MASSAGE THERAPY, BOARD OF (Sec. 147.14(1)(q))

Robin Markus, Dubuque	05/01/2016 – 04/30/2019
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## MEDICINE, BOARD OF (Sec. 147.14(1)(b))

Diane Cortese, Urbandale	05/01/2016 – 04/30/2019
Dr. Ronald Kolegraff, Milford	05/01/2016 – 04/30/2019
KellyAnn Light-McGroary, Solon	05/01/2016 – 04/30/2019

MENTAL HEALTH AND DISABILITY SERVICES COMMISSION (Sec. 225C.5(1))

Marsha Edgington, Osceola	05/01/2016 – 04/30/2019
Sharon Lambert, Coralville	05/01/2016 – 04/30/2019
Brett McLain, Ames	05/01/2016 – 04/30/2019
Rebecca Peterson, Clive	05/01/2016 – 04/30/2019
Marilyn Seemann, Woodward	05/01/2016 – 04/30/2019

## MENTAL HEALTH RISK POOL BOARD (Sec. 426B.5(2)(c))

Heidi Burhans, Truro	05/01/2016 – 04/30/2019
Eugene Meiners, Templeton	05/01/2016 – 04/30/2019

## MORTUARY SCIENCE, BOARD OF (Sec. 147.14(1)(p))

Kimberly Doehrmann, Williamsburg	05/01/2016 – 04/30/2019
Carl Linge, Cedar Rapids	05/01/2016 – 04/30/2019

## NATIVE AMERICAN AFFAIRS, COMMISSION OF (Sec. 216A.162)

Timothy Perkins, Johnston	05/01/2016 – 04/30/2020
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## NURSING, BOARD OF (Sec. 147.14(1)(c))

Nancy Kramer, Independence	05/01/2016 – 04/30/2019
Mark Odden, Manchester	05/01/2016 – 04/30/2019

## NURSING HOME ADMINISTRATORS, BOARD OF (Sec. 147.14(w))

Karol Dammann, Manning	05/01/2016 – 04/30/2019
Effie Hill, Fort Dodge	05/01/2016 – 04/30/2018
Lanny Ward, Indianola	05/01/2016 – 04/30/2019

## OPTOMETRY, BOARD OF (Sec. 147.14(1)(f))

Dr. Thomas Hayden, Newton	05/01/2016 – 04/30/2019
Tamie Stahl, Cedar Falls	05/01/2016 – 04/30/2019

## PAROLE, BOARD OF (Sec. 904A.1)

Susan Lerdal, Urbandale	05/01/2016 – 04/30/2020
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## PEACE OFFICERS' RETIREMENT, ACCIDENT, AND DISABILITY SYSTEM TRUSTEE (Sec. 97A.5)

Chris Mayer, Waukee	05/01/2016 – 04/30/2018
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## PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD, IOWA COMPREHENSIVE (Sec. 455G.4(4))

N. Kurt Mumm, Jr., Johnston	05/01/2016 – 04/30/2020
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## PHARMACY, BOARD OF (Sec. 147.14(1)(e))

Kay Jessen, Manson	05/01/2016 – 04/30/2019
Sharon Meyer, Urbandale	05/01/2016 – 04/30/2019

## PHYSICAL AND OCCUPATIONAL THERAPY, BOARD OF (Sec. 147.14(1)(j))

Stephanie Kelsick, Alleman	05/01/2016 – 04/30/2019
Jeremy Kuhn, West Des Moines	05/01/2016 – 04/30/2019
Holly Little, Waverly	05/01/2016 – 04/30/2019

## PHYSICIAN ASSISTANTS, BOARD OF (Sec. 147.14(1)(l))

Melissa Gentry, Ollie	05/01/2016 – 04/30/2019
Thomas Green, Clive	05/01/2016 – 04/30/2019
Susan Koehler, Des Moines	05/01/2016 – 04/30/2019



## PLUMBING AND MECHANICAL SYSTEMS EXAMINING BOARD (Sec. 105.3)

Donald Hansen, Des Moines	05/01/2016 – 04/30/2019
Kevin Kiene, Riverside	05/01/2016 – 04/30/2019
Robert Kunkel, Clarence	05/01/2016 – 04/30/2019

## PSYCHOLOGY, BOARD OF (Sec. 147.14(1)(g))

Dr. Earl Kilgore, Cumming	05/01/2016 – 04/30/2017
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## PUBLIC EMPLOYMENT RELATIONS BOARD (Sec. 20.5)

Mary Gannon, Des Moines	05/01/2016 – 04/30/2020
James Van Fossen, Ankeny	05/01/2016 – 04/30/2020

## RACING AND GAMING COMMISSION, STATE (Sec. 99D.5)

Richard Arnold, Russell	05/01/2016 – Pleasure of the Governor
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## REAL ESTATE APPRAISER EXAMINING BOARD (Sec. 543D.4)

Robert Felderman, Dubuque	05/01/2016 – 04/30/2019
Vernon (Fred) Greder, Mason City	05/01/2016 – 04/30/2019

## REAL ESTATE COMMISSION (Sec. 543B.8)

Dennis Stolk, Bettendorf	05/01/2016 – 04/30/2019
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## RENEWABLE FUEL INFRASTRUCTURE BOARD (Sec. 159A.13)

Kelly Nieuwenhuis, Primghar	05/01/2016 – 04/30/2021
Eric Seuren, West Des Moines	05/01/2016 – 04/30/2021

## RESPIRATORY CARE, BOARD OF (Sec. 147.14(1)(o))

Brandon Butters, Ankeny	05/01/2016 – 04/30/2019
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## SCHOOL BUDGET REVIEW COMMITTEE (Sec. 257.30)

Gina Primmer, Council Bluffs	05/01/2016 – 04/30/2019
Leland Tack, Johnston	05/01/2016 – 04/30/2019

## SIGN LANGUAGE INTERPRETERS AND TRANSLITERATORS, BOARD OF

(Sec. 147.14(1)(u))

Michael B. Ballard, Boone	05/01/2016 – 04/30/2018
Susan Tyrrell, Cedar Rapids	05/01/2016 – 04/30/2019

## SOCIAL WORK, BOARD OF (Sec. 147.14(1)(t))

Amy Courneya, Ames	05/01/2016 – 04/30/2019
Jody Weigel, Hiawatha	05/01/2016 – 04/30/2019

## SOIL CONSERVATION COMMITTEE, STATE (Sec. 161A.4)

Dennis Carlson, Hampton	05/01/2016 – 04/30/2022
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## SPEECH PATHOLOGY AND AUDIOLOGY, BOARD OF (Sec. 147.14(1)(i))

Diana Hanson, Johnston	05/01/2016 – 04/30/2019
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## TECHNOLOGY ADVISORY COUNCIL (Sec. 8B.8)

Jacqueline Pullen, West Des Moines	05/01/2016 – 04/30/2018
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## TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA

(Sec. 8D.3(2))

Mary Sellers, Des Moines	05/01/2016 – 04/30/2022
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## TOBACCO USE PREVENTION AND CONTROL, COMMISSION ON (Sec. 142A.3)

Lorene Mein, Ankeny	05/01/2016 – 04/30/2019
Michele (Micki) Sandquist, Adel	05/01/2016 – 04/30/2019
Melissa Walker, Marion	05/01/2016 – 04/30/2019

## TRANSPORTATION, DIRECTOR OF (Sec. 307.11)

Paul Trombino III, Johnston	05/09/2015 – Pleasure of the Governor
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## TRANSPORTATION COMMISSION, STATE (Sec. 307A.1A)

Kathleen Fehrman, Des Moines	05/01/2016 – 04/30/2020
Charese Yanney, Sioux City	05/01/2016 – 04/30/2020

## VETERANS AFFAIRS, COMMISSION OF (Sec. 35A.2)

Dan Gannon, Ankeny	05/01/2016 – 04/30/2020
Gary Wattnem, Mason City	05/01/2016 – 04/30/2020

## VETERINARY MEDICINE, IOWA BOARD OF (Sec. 169.5)

Dewayne Rahe, Dyersville	05/01/2016 – 04/30/2019
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## VISION IOWA BOARD (Sec. 15F.102)

Jacob Anderson, Van Meter	05/01/2016 – 04/30/2019
Eric Bookmeyer, Mason City	05/01/2016 – 04/30/2019

## WOMEN, COMMISSION ON THE STATUS OF (Sec. 216A.53)

Sean Bagniewski, Des Moines	05/01/2016 – 04/30/2020
Elizabeth Coonan, Des Moines	05/01/2016 – 04/30/2020
David Gudenkauf, Cascade	05/01/2016 – 04/30/2020

## WORKFORCE DEVELOPMENT BOARD, IOWA (Sec. 84A.1A)

Ken Sagar, Des Moines	05/01/2016 – 04/30/2020
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The appointments were referred to the committee on **Rules and Administration**.

## REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on March 10, 2016:

### AGRICULTURE

Monica Bieri – Iowa Grain Indemnity Fund Board

Curtis Sindergard – Iowa Grain Indemnity Fund Board

Dennis Carlson – State Soil Conservation Committee

### COMMERCE

Karyn Finn – Credit Union Review Board

Jeffrey Hayes – Credit Union Review Board

Scott Zahnle – Credit Union Review Board

Mary Sellers – Iowa Telecommunications and Technology Commission

### ECONOMIC GROWTH

Lyle Borg – Agricultural Development Board

Gordon Neumann – Iowa Capital Investment Board

Barbara Determan – Iowa Great Places Board

Greg Fisher – Iowa Great Places Board

Emily Meyer – Iowa Great Places Board

### EDUCATION

James Curry – Iowa Autism Council

Dr. Matthew O'Brien – Iowa Autism Council

James Paprocki – Iowa Autism Council

Richard Clewell – Early Childhood Iowa State Board

Elizabeth Colby Plautz – Early Childhood Iowa State Board

Judy Janning-Reicks – Early Childhood Iowa State Board

Bettie Bolar – State Board of Education

Michael Knedler – State Board of Education

Thomas Buckman – Board of Educational Examiners

Dr. Jay Prescott – Board of Educational Examiners

Dr. Anne Sullivan – Board of Educational Examiners

Dr. Edward Rogalski – Iowa Higher Education Loan Authority

Gina Primmer – School Budget Review Committee  
 Leland Tack – School Budget Review Committee

### **HUMAN RESOURCES**

Richard Motz – Commission on Aging  
 Richard Stone – Commission on Aging

Christopher Kamm – Board of Athletic Training  
 Christopher Wiedmann – Board of Athletic Training

Lindsey Nielsen – Board of Behavioral Science  
 Erik Oostenink – Board of Behavioral Science  
 Jill Struyk – Board of Behavioral Science  
 Sarah Thomas – Board of Behavioral Science

Joe Hickey – Commissions of Persons with Disabilities  
 Prakash Kopparapu – Commissions of Persons with Disabilities

Dr. Mariannette Miller-Meeks – Healthy and Well Kids in Iowa (HAWK-I) Board

Kimberly Kudej – Council on Human Services

Marlu Abarca – Commission of Latino Affairs  
 Jeannette Martinez – Commission of Latino Affairs  
 Michelle Reuss – Commission of Latino Affairs  
 Juan Rodriguez – Commission of Latino Affairs

Marsha Edgington – Mental Health and Disability Services Commission  
 Sharon Lambert – Mental Health and Disability Services Commission  
 Brett McLain – Mental Health and Disability Services Commission  
 Rebecca Peterson – Mental Health and Disability Services Commission  
 Marilyn Seemann – Mental Health and Disability Services Commission

Michael B. Ballard – Board of Sign Language Interpreters and Transliterators  
 Susan Tyrrell – Board of Sign Language Interpreters and Transliterators

Lorene Mein – Commission on Tobacco Use Prevention and Control  
 Michele (Micki) Sandquist – Commission on Tobacco Use Prevention and Control  
 Melissa Walker – Commission on Tobacco Use Prevention and Control

### **JUDICIARY**

David Lorenzen – Iowa Drug Policy Advisory Council  
 Christina Wilson – Iowa Drug Policy Advisory Council

Helen Sinclair – State Judicial Nominating Commission  
 Steve Sukup – State Judicial Nominating Commission  
 Dr. Christina Taylor – State Judicial Nominating Commission

Regina Clemens – Iowa Law Enforcement Academy Council  
Michael Tupper – Iowa Law Enforcement Academy Council

Susan Lerdal – Board of Parole

### **LABOR AND BUSINESS RELATIONS**

James Strohman – Employment Appeal Board

Donald Hansen – Plumbing and Mechanical Systems Examining Board  
Kevin Kiene – Plumbing and Mechanical Systems Examining Board  
Robert Kunkel – Plumbing and Mechanical Systems Examining Board

Mary Gannon – Public Employment Relations Board  
James Van Fossen – Public Employment Relations Board

Ken Sagar – Iowa Workforce Development Board

### **LOCAL GOVERNMENT**

James Halverson – City Development Board

Heidi Burhans – Mental Health Risk Pool Board  
Eugene Meiners – Mental Health Risk Pool Board

### **NATURAL RESOURCES AND ENVIRONMENT**

N. Kurt Mumm, Jr. – Iowa Comprehensive Petroleum Underground Storage Tank  
Fund Board

Kelly Nieuwenhuis – Renewable Fuel Infrastructure Board  
Eric Seuren – Renewable Fuel Infrastructure Board

### **STATE GOVERNMENT**

Dirk Dixon – Accountancy Examining Board  
Ying Sa – Accountancy Examining Board  
Laura Walker – Accountancy Examining Board

Dr. Ahmadu Baba-Singhri – Commission on the Status of African Americans  
Michael Hulme – Commission on the Status of African Americans  
Miranda Mathis – Commission on the Status of African Americans  
Clair Rudison, Jr. – Commission on the Status of African Americans

John Pauli – Alcoholic Beverages Commission

Kolby DeWitt – Architectural Examining Board  
Emily Forquer – Architectural Examining Board

Peggy La – Commission of Asian and Pacific Islander Affairs  
Jo Matibag – Commission of Asian and Pacific Islander Affairs

Rebecca Brockmann – Board of Barbering  
Daniel Butler – Board of Barbering  
Valerie Felton – Board of Barbering  
Terry Moll – Board of Barbering

Joseph Van Lent – Commission for the Blind

Dr. Jason Wall – Board of Chiropractic

John Murphy – Commission on Community Action Agencies  
Melissa Thompson – Commission on Community Action Agencies

Robert Thompson – Board of Cosmetology Arts and Sciences

Mary Ellen Kimball – Board of Trustees of the Iowa Cultural Trust  
Brandon Paulsen – Board of Trustees of the Iowa Cultural Trust  
Connie Schmett – Board of Trustees of the Iowa Cultural Trust

Michael B. Ballard – Commission of Deaf Services  
William Felderman – Commission of Deaf Services  
Christina Herrin – Commission of Deaf Services  
Jennifer Keaton – Commission of Deaf Services

Dr. Steven Bradley – Board of Dentistry  
Monica Foley – Board of Dentistry  
Thomas Jeneary – Board of Dentistry

Kyle Barnhart – Electrical Examining Board  
John Claeys – Electrical Examining Board  
David Guthrie – Electrical Examining Board

Kerry Dixon – Elevator Safety Board  
Peggy VandenBerg – Elevator Safety Board

Robert Fairfax – Engineering and Land Surveying Examining Board  
Eric Green – Engineering and Land Surveying Examining Board

San Wong – Director of the Department of Human Rights

Robert S. von Wolfradt – Chief Information Officer

Carole Tillotson – Iowa Ethics and Campaign Disclosure Board  
John Walsh – Iowa Ethics and Campaign Disclosure Board

Todd Mithelman – Interior Design Examining Board

Donna Mueller – Chief Executive Officer of the IPERS

Phyllis Peterson – Investment Board of the IPERS

Emily Naylor – Landscape Architectural Examining Board  
Brenda Nelson – Landscape Architectural Examining Board

Mary Junge – Iowa Lottery Authority Board of Directors

Robin Markus – Board of Massage Therapy

Diane Cortese – Board of Medicine

Dr. Ronald Kolegraff – Board of Medicine

KellyAnn Light-McGroary – Board of Medicine

Kimberly Doehrmann – Board of Mortuary Science

Carl Linge – Board of Mortuary Science

Timothy Perkins – Commission of Native American Affairs

Nancy Kramer – Board of Nursing

Mark Odden – Board of Nursing

Karol Dammann – Board of Nursing Home Administrators

Effie Hill – Board of Nursing Home Administrators

Lanny Ward – Board of Nursing Home Administrators

Dr. Thomas Hayden – Board of Optometry

Tamie Stahl – Board of Optometry

Chris Mayer – Peace Officers' Retirement, Accident, and Disability System Trustee

Kay Jessen – Board of Pharmacy

Sharon Meyer – Board of Pharmacy

Stephanie Kelsick – Board of Physical and Occupational Therapy

Jeremy Kuhn – Board of Physical and Occupational Therapy

Holly Little – Board of Physical and Occupational Therapy

Melissa Gentry – Board of Physician Assistants

Thomas Green – Board of Physician Assistants

Susan Koehler – Board of Physician Assistants

Dr. Earl Kilgore – Board of Psychology

Richard Arnold – State Racing and Gaming Commission

Robert Felderman – Real Estate Appraiser Examining Board

Vernon (Fred) Greder – Real Estate Appraiser Examining Board

Dennis Stolk – Real Estate Commission

Brandon Butters – Board of Respiratory Care

Amy Courneya – Board of Social Work

Jody Weigel – Board of Social Work

Diana Hanson – Board of Speech Pathology and Audiology

Jacqueline Pullen – Technology Advisory Council

Dewayne Rahe – Iowa Board of Veterinary Medicine

Jacob Anderson – Vision Iowa Board

Eric Bookmeyer – Vision Iowa Board

Sean Bagniewski – Commission on the Status of Women

Elizabeth Coonan – Commission on the Status of Women

David Gudenkauf – Commission on the Status of Women

### **TRANSPORTATION**

Paul Trombino III – Director of Transportation

Kathleen Fehrman – State Transportation Commission

Charese Yanney – State Transportation Commission

### **VETERANS AFFAIRS**

Dan Gannon – Commission of Veterans Affairs

Gary Wattnem – Commission of Veterans Affairs

### **GOVERNOR'S DEFERRAL LETTERS**

The following letters from the Governor were received in the office of the Secretary of the Senate on March 1, 2016:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission of Asian and Pacific Islander Affairs, formerly held by Benjamin Jung. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission of Asian and Pacific Islander Affairs, formerly held by Albert Liu. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Autism Council, formerly held by Steve Johnson. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Boiler and Pressure Vessel Board, formerly held by Keith Taeger. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.



Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission on Community Action Agencies, formerly held by John Johnson. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission of Persons with Disabilities, formerly held by Harry Van Grevenhof. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Dietetics, formerly held by Janet Johnson. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Electrical Examining Board, formerly held by Wayne Engle. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Electrical Examining Board, formerly held by Kathryn Kunert. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Electrical Examining Board, formerly held by Theodore (TJ) Meiners. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Electrical Examining Board, formerly held by Emily Wuebker. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Emergency Response Commission, formerly held by Christopher Enyeart. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Great Places Board, formerly held by Linda Washburn. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Heathy and Well Kids in Iowa Board (HAWK-I), formerly held by Joe Hutter. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Hearing Aid Dispensers, formerly held by Jerry Smith. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Hearing Aid Dispensers, formerly held by Jaime Secory. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Interior Design Examining Board, formerly held by Julie Ann Quebe. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission on Judicial Qualifications, formerly held by Stephanie Netolicky. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission on Judicial Qualifications, formerly held by Henry (H.I.) Thomas. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Landscape Architectural Examining Board, formerly held by Erica Andersen. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Law Enforcement Academy Council, formerly held by Brian Guy. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Massage Therapy, formerly held by Bruce Bockoven. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Massage Therapy, formerly held by Christina Michael. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Massage Therapy, formerly held by Rhonda Reif. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Medicine, formerly held by Julie Carmody. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Mental Health and Disability Services Commission, formerly held by Richard Crouch. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Mental Health and Disabilities Services Commission, formerly held by Betty King. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission of Native American Affairs, formerly held by Larry Lasley. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission of Native American Affairs, formerly held by Franklin Phillips. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission of Native American Affairs, formerly held by Judy Yellowbank. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Nursing, formerly held by James Seymour. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Physician Assistants, formerly held by Keith Guess. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Plumbing and Mechanical Systems Board, formerly held by Rodney Schultz. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Podiatry, formerly held by K. Linda Bratkiewicz. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Podiatry, formerly held by Tara Decker-Brock. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Podiatry, formerly held by Sarah Kleffman. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Podiatry, formerly held by Gregory Lantz. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Psychology, formerly held by Melinda Green. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Psychology, formerly held by Adam Kurth. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Public Information Board, formerly held by Robert Andeweg. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Public Information Board, formerly held by Andrew McKean. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Public Information Board, formerly held by Kathleen Richardson. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Public Information Board, formerly held by Peggy Weitzl. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Real Estate Appraiser Examining Board, formerly held by Lee Schoenewe. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Real Estate Commission, formerly held by Carol Haines. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Renewable Fuel Infrastructure Board, formerly held by K. Alan Hillgren. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Renewable Fuel Infrastructure Board, formerly held by Gloria Johnson. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Renewable Fuel Infrastructure Board, formerly held by Jill Reams-Widder. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Sign Language Interpreters and Transliterators, formerly held by Bill Ainsley. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Social Work, formerly held by Valerie Huntley. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Speech Pathology and Audiology, formerly held by Jon Schuttinga. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Board of Speech Pathology and Audiology, formerly held by Kent Weaver. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Commission of Veterans Affairs, formerly held by Mickey Williams. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Vision Iowa Board, formerly held by Mark Murphy. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Workforce Development Board, formerly held by Norene Mostkoff. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Workforce Development Board, formerly held by Karen Vanderhoef. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

#### AMENDMENTS FILED

S-5075	H.F.	2345	Transportation
S-5076	S.F.	2301	Janet Petersen
S-5077	H.F.	2324	Education
S-5078	H.F.	2341	Education
S-5079	H.F.	2370	Education
S-5080	H.F.	2421	Education
S-5081	H.F.	2373	Judiciary

# JOURNAL OF THE SENATE

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SIXTY-FOURTH CALENDAR DAY  
THIRTY-SEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, March 14, 2016

The Senate met in regular session at 1:09 p.m., President Jochum presiding.

Prayer was offered by Pastor Gordon Buchholz of St. John Lutheran Church in Audubon, Iowa. He was the guest of Senator Segebart.

## PLEDGE OF ALLEGIANCE

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

The Journal of Thursday, March 10, 2016, was approved.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:14 p.m. until 9:00 a.m., Tuesday, March 15, 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:

#### BOARD OF REGENTS

Data Collection of In-Field Agricultural Practices—Pilot Project Report, pursuant to 2015 Iowa Acts, Chapter 132, section 18. Report received on March 14, 2016.

#### DEPARTMENT OF VETERANS AFFAIRS

Veterans' Trust Fund Report, pursuant to Iowa Code section 35A.13(8). Report received on March 11, 2016.



## CERTIFICATE OF RECOGNITION

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

Ellen Eckhardt, Burlington—For celebrating her 80<sup>th</sup> birthday. Senator Courtney.

## FINAL COMMITTEE REPORTS OF BILL ACTION

## JUDICIARY

**Bill Title:** HOUSE FILE 493, a bill for an act relating to the right of residents, owners, tenants, and landlords to summon emergency assistance and preempting related local ordinances, rules, and regulations.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5085.

**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:** HOUSE FILE 2064, a bill for an act relating to the criminal offense of child endangerment resulting in the death of a child or minor, and providing penalties.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5082.

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

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

## ALSO:

**Bill Title:** HOUSE FILE 2278, a bill for an act relating to the limitations of criminal actions in kidnapping or human trafficking offenses, and providing penalties.

**Recommendation:** DO PASS.

**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:** HOUSE FILE 2314, a bill for an act relating to the issuance and verification of, and the transfer of records concerning permits to carry weapons and the confidentiality of such records including the confidentiality of records for such permits and for permits to acquire pistols or revolvers, prohibiting fraudulent transfers of firearms and ammunition, providing for a fee and a penalty, and including effective date and applicability provisions.

**Recommendation:** AMEND, BUT WITHOUT RECOMMENDATION, AS PROVIDED IN AMENDMENT S-5083.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2386, a bill for an act relating to grounds for termination of parental rights of an individual relative to sexual abuse.

**Recommendation:** DO PASS.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2399, a bill for an act relating to domestic abuse and other offenses involving a domestic relationship, and providing penalties.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5084.

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

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

**ALSO:**

**Bill Title:** HOUSE FILE 2420, a bill for an act relating to untested sexual abuse evidence collection kits stored at law enforcement agencies.

**Recommendation:** DO PASS.

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

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

## APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 14, 2016, to investigate the appointment and reappointment of the following appointees:

### AGRICULTURE

As members of the Iowa Grain Indemnity Fund Board:

Monica Bieri – Brase, Chair; Rozenboom and Seng  
Curtis Sindergard – Brase, Chair; Kapucian and Seng

As a member of the State Soil Conservation Committee:

Dennis Carlson – Brase, Chair; Seng and Shipley

### COMMERCE

As members of the Credit Union Review Board:

Karyn Finn – Schoenjahn, Chair; Anderson and Petersen  
Jeffrey Hayes – Bolkcom, Chair; Anderson and Petersen  
Scott Zahnle – McCoy, Chair; Petersen and Zumbach

As a member of the Iowa Telecommunications and Technology Commission:

Mary Sellers – Allen, Chair; Schneider and Schoenjahn

### ECONOMIC GROWTH

As a member of the Agricultural Development Board:

Lyle Borg – Soddors, Chair; Chelgren and Mathis

As a member of the Iowa Capital Investment Board:

Gordon Neumann – Bisignano, Chair; Anderson and Taylor

As members of the Iowa Great Places Board:

Barbara Determan – Bowman, Chair; Guth and Wilhelm  
Greg Fisher – Danielson, Chair; Schneider and Soddors  
Emily Meyer – Dotzler, Chair; Bowman and Breitbach

**EDUCATION**

As members of the Iowa Autism Council:

James Curry – Mathis, Chair; Kinney and Kraayenbrink  
Dr. Matthew O'Brien – Mathis, Chair; Kinney and Kraayenbrink  
James Paprocki – Mathis, Chair; Kinney and Kraayenbrink

As members of the Early Childhood Iowa State Board:

Richard Clewell – Hart, Chair; Hogg and Johnson  
Elizabeth Colby Plautz – Hart, Chair; Hogg and Johnson  
Judy Janning-Reicks – Hart, Chair; Hogg and Johnson

As members of the State Board of Education:

Bettie Bolar – Quirnbach, Chair; Schoenjahn and Sinclair  
Michael Knedler – Quirnbach, Chair; Schoenjahn and Sinclair

As members of the Board of Educational Examiners:

Thomas Buckman – Schoenjahn, Chair; Behn and Wilhelm  
Dr. Jay Prescott – Schoenjahn, Chair; Behn and Wilhelm  
Dr. Anne Sullivan – Schoenjahn, Chair; Behn and Wilhelm

As a member of the Iowa Higher Education Loan Authority:

Dr. Edward Rogalski – Quirnbach, Chair; Hogg and Kraayenbrink

As members of the School Budget Review Committee:

Gina Primmer – Bowman, Chair; Hart and Sinclair  
Leland Tack – Bowman, Chair; Hart and Sinclair

**HUMAN RESOURCES**

As members of the Commission on Aging:

Richard Motz – Taylor, Chair; Johnson and Wilhelm  
Richard Stone – Wilhelm, Chair; Allen and Garrett

As members of the Board of Athletic Training:

Christopher Kamm – Jochum, Chair; Chelgren and Ragan  
Christopher Wiedmann – Bolkcom, Chair; Dotzler and Garrett

As members of the Board of Behavioral Science:

Lindsey Nielsen – Wilhelm, Chair; Costello and Taylor  
Erik Oostenink – Wilhelm, Chair; Costello and Taylor  
Jill Struyk – Allen, Chair; Johnson and Ragan  
Sarah Thomas – Allen, Chair; Costello and Ragan

As members of the Commissions of Persons with Disabilities:

Joe Hickey– Jochum, Chair; Dotzler and Segebart  
Prakash Kopparapu – Wilhelm, Chair; Allen and Garrett

As a member of the Healthy and Well Kids in Iowa (HAWK-I) Board:

Dr. Mariannette Miller-Meeks – Ragan, Chair; Chelgren and Jochum

As a member of the Council on Human Services:

Kimberly Kudej – Bolkcom, Chair; Chelgren and Taylor

As members of the Commission of Latino Affairs:

Marlu Abarca – Allen, Chair; Johnson and Taylor  
Jeannette Martinez – Dotzler, Chair; Allen and Johnson  
Michelle Reuss – Taylor, Chair; Dotzler and Johnson  
Juan Rodriguez – Wilhelm, Chair; Johnson and Taylor

As members of the Mental Health and Disability Services Commission:

Marsha Edgington – Jochum, Chair; Chelgren and Dotzler  
Sharon Lambert – Jochum, Chair; Chelgren and Taylor  
Brett McLain – Taylor, Chair; Allen and Johnson  
Rebecca Peterson – Wilhelm, Chair; Dotzler and Garrett  
Marilyn Seemann – Ragan, Chair; Costello and Dotzler

As members of the Board of Sign Language Interpreters and Transliterators:

Michael B. Ballard – Mathis, Chair; Chelgren and Ragan  
Susan Tyrrell – Mathis, Chair; Allen and Costello

As members of the Commission on Tobacco Use Prevention and Control:

Lorene Mein – Dotzler, Chair; Johnson and Taylor  
Michele (Micki) Sandquist – Allen, Chair; Dotzler and Garrett  
Melissa Walker – Mathis, Chair; Dotzler and Johnson

## **JUDICIARY**

As members of the Iowa Drug Policy Advisory Council:

David Lorenzen – Kinney, Chair; Petersen and Schneider  
Christina Wilson – Petersen, Chair; Kinney and Zaun

As members of the State Judicial Nominating Commission:

Helen Sinclair – Hogg, Chair; Horn and Schneider  
Steve Sukup – Hogg, Chair; Horn and Schneider  
Dr. Christina Taylor – Hogg, Chair; Horn and Schneider

As members of the Iowa Law Enforcement Academy Council:

Regina Clemens – Petersen, Chair; Bisignano and Garrett  
 Michael Tupper – Sodders, Chair; Kinney and Shipley

As a member of the Board of Parole:

Susan Lerdal – Taylor, Chair; Quirnbach and Zaun

### **LABOR AND BUSINESS RELATIONS**

As a member of the Employment Appeal Board:

James Strohman – Shipley, Chair; Brase and Sodders

As members of the Plumbing and Mechanical Systems Examining Board:

Donald Hansen – Dotzler, Chair; Seng and Whitver  
 Kevin Kiene – Bertrand, Chair; Dotzler and Sodders  
 Robert Kunkel – Costello, Chair; Brase and Dearden

As members of the Public Employment Relations Board:

Mary Gannon – Whitver, Chair; Courtney and Dotzler  
 James Van Fossen – Shipley, Chair; Bisignano and Courtney

As a member of the Iowa Workforce Development Board:

Ken Sagar – Bisignano, Chair; Dearden and Shipley

### **LOCAL GOVERNMENT**

As a member of the City Development Board:

James Halverson – Bisignano, Chair; Allen and Smith

As members of the Mental Health Risk Pool Board:

Heidi Burhans – Brase, Chair; Allen and Smith  
 Eugene Meiners – Allen, Chair; Brase, Sinclair and Taylor

### **NATURAL RESOURCES AND ENVIRONMENT**

As a member of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board:

N. Kurt Mumm, Jr. – Schoenjahn, Chair; Ragan and Shipley

As members of the Renewable Fuel Infrastructure Board:

Kelly Nieuwenhuis – Bolkcom, Chair; Behn and Kinney  
 Eric Seuren – Bolkcom, Chair; Behn and Kinney

**STATE GOVERNMENT**

As members of the Accountancy Examining Board:

Dirk Dixon – McCoy, Chair; Chapman and Dearden  
Ying Sa – McCoy, Chair; Chapman and Dearden  
Laura Walker – McCoy, Chair; Chapman and Dearden

As members of the Commission on the Status of African Americans:

Dr. Ahmadu Baba-Singhri – Courtney, Chair; Chapman and Dearden  
Michael Hulme – Courtney, Chair; Chapman and Dearden  
Miranda Mathis – Courtney, Chair; Chapman and Dearden  
Clair Rudison, Jr. – Courtney, Chair; Chapman and Dearden

As a member of the Alcoholic Beverages Commission:

John Pauli – Danielson, Chair; Chapman and Schoenjahn

As members of the Architectural Examining Board:

Kolby DeWitt – Bowman, Chair; Chapman and Dearden  
Emily Forquer – Bowman, Chair; Chapman and Dearden

As members of the Commission of Asian and Pacific Islander Affairs:

Peggy La – Petersen, Chair; Chapman and Courtney  
Jo Matibag – Petersen, Chair; Chapman and Courtney

As members of the Board of Barbering:

Rebecca Brockmann – Dearden, Chair; Chapman and Dvorsky  
Daniel Butler – Dearden, Chair; Chapman and Dvorsky  
Valerie Felton – Dearden, Chair; Chapman and Dvorsky  
Terry Moll – Dearden, Chair; Chapman and Dvorsky

As a member of the Commission for the Blind:

Joseph Van Lent – Bowman, Chair; Chapman and Petersen

As a member of the Board of Chiropractic:

Dr. Jason Wall – Petersen, Chair; Chapman and Schoenjahn

As members of the Commission on Community Action Agencies:

John Murphy – Petersen, Chair; Chapman and Courtney  
Melissa Thompson – Petersen, Chair; Chapman and Courtney

As a member of the Board of Cosmetology Arts and Sciences:

Robert Thompson – Danielson, Chair; Chapman and Horn

As members of the Board of Trustees of the Iowa Cultural Trust:

Mary Ellen Kimball – McCoy, Chair; Bowman and Chapman  
Brandon Paulsen – McCoy, Chair; Bowman and Chapman  
Connie Schmett – McCoy, Chair; Bowman and Chapman

As members of the Commission of Deaf Services:

Michael B. Ballard – Petersen, Chair; Bowman and Chapman  
William Felderman – Petersen, Chair; Bowman and Chapman  
Christina Herrin – Petersen, Chair; Bowman and Chapman  
Jennifer Keaton – Petersen, Chair; Bowman and Chapman

As members of the Board of Dentistry:

Dr. Steven Bradley – McCoy, Chair; Chapman and Dvorsky  
Monica Foley – McCoy, Chair; Chapman and Dvorsky  
Thomas Jeneary – McCoy, Chair; Chapman and Dvorsky

As members of the Electrical Examining Board:

Kyle Barnhart – Horn, Chair; Chapman and Danielson  
John Claeys – Horn, Chair; Chapman and Danielson  
David Guthrie – Horn, Chair; Chapman and Danielson

As members of the Elevator Safety Board:

Kerry Dixon – Dearden, Chair; Chapman and Courtney  
Peggy VandenBerg – Dearden, Chair; Chapman and Courtney

As members of the Engineering and Land Surveying Examining Board

Robert Fairfax – McCoy, Chair; Chapman and Dearden  
Eric Green – McCoy, Chair; Chapman and Dearden

As Director of the Department of Human Rights:

San Wong – Bowman, Chair; Chapman and Petersen

As Chief Information Officer:

Robert S. von Wolfradt – Danielson, Chair; Chapman and McCoy

As members of the Iowa Ethics and Campaign Disclosure Board:

Carole Tillotson – Courtney, Chair; Chapman and Danielson  
John Walsh – Courtney, Chair; Chapman and Danielson

As a member of the Interior Design Examining Board:

Todd Mithelman – Petersen, Chair; Bowman and Chapman

As Chief Executive Officer of the IPERS:

Donna Mueller – Horn, Chair; Chapman and Danielson



As a member of the Investment Board of the IPERS:

Phyllis Peterson – Danielson, Chair; Chapman and Courtney

As members of the Landscape Architectural Examining Board:

Emily Naylor – Petersen, Chair; Chapman and Dearden

Brenda Nelson – Petersen, Chair; Chapman and Dearden

As a member of the Iowa Lottery Authority Board of Directors:

Mary Junge – Danielson, Chair; Chapman and Schoenjahn

As a member of the Board of Massage Therapy:

Robin Markus – Dearden, Chair; Chapman and Dvorsky

As members of the Board of Medicine:

Diane Cortese – Petersen, Chair; Bowman and Chapman

Dr. Ronald Kolegraff – Petersen, Chair; Bowman and Chapman

KellyAnn Light-McGroary – Petersen, Chair; Bowman and Chapman

As members of the Board of Mortuary Science:

Kimberly Doehrmann – Courtney, Chair; Chapman and Dearden

Carl Linge – Courtney, Chair; Chapman and Dearden

As a member of the Commission of Native American Affairs:

Timothy Perkins – Dearden, Chair; Chapman and Horn

As members of the Board of Nursing:

Nancy Kramer – Courtney, Chair; Chapman and Dearden

Mark Odden – Courtney, Chair; Chapman and Dearden

As members of the Board of Nursing Home Administrators:

Karol Dammann – Schoenjahn, Chair; Chapman and Dvorsky

Effie Hill – Schoenjahn, Chair; Chapman and Dvorsky

Lanny Ward – Schoenjahn, Chair; Chapman and Dvorsky

As members of the Board of Optometry:

Dr. Thomas Hayden – McCoy, Chair; Chapman and Dvorsky

Tamie Stahl – McCoy, Chair; Chapman and Dvorsky

As a member of the Peace Officers' Retirement, Accident, and Disability System Trustee:

Chris Mayer – Danielson, Chair; Chapman and Horn

As members of the Board of Pharmacy:

Kay Jessen – Danielson, Chair; Chapman and Horn  
Sharon Meyer – Danielson, Chair; Chapman and Horn

As members of the Board of Physical and Occupational Therapy:

Stephanie Kelsick – Bowman, Chair; Chapman and Schoenjahn  
Jeramy Kuhn – Bowman, Chair; Chapman and Schoenjahn  
Holly Little – Bowman, Chair; Chapman and Schoenjahn

As members of the Board of Physician Assistants:

Melissa Gentry – Dvorsky, Chair; Chapman and Horn  
Thomas Green – Dvorsky, Chair; Chapman and Horn  
Susan Koehler – Dvorsky, Chair; Chapman and Horn

As a member of the Board of Psychology:

Dr. Earl Kilgore – Petersen, Chair; Chapman and McCoy

As a member of the State Racing and Gaming Commission:

Richard Arnold – Danielson, Chair; Chapman and Schoenjahn

As members of the Real Estate Appraiser Examining Board:

Robert Felderman – Dvorsky, Chair; Chapman and Dearden  
Vernon (Fred) Greder – Dvorsky, Chair; Chapman and Dearden

As a member of the Real Estate Commission:

Dennis Stolk – Bowman, Chair; Chapman and Petersen

As a member of the Board of Respiratory Care:

Brandon Butters – Petersen, Chair; Chapman and Schoenjahn

As members of the Board of Social Work:

Amy Courneya – Petersen, Chair; Chapman and Dearden  
Jody Weigel – Petersen, Chair; Chapman and Dearden

As a member of the Board of Speech Pathology and Audiology:

Diana Hanson – Courtney, Chair; Chapman and Danielson

As a member of the Technology Advisory Council:

Jacqueline Pullen – Courtney, Chair; Chapman and McCoy

As a member of the Iowa Board of Veterinary Medicine:

Dewayne Rahe – Dvorsky, Chair; Chapman and Horn

As members of the Vision Iowa Board:

- Jacob Anderson – Danielson, Chair; Chapman and McCoy
- Eric Bookmeyer – Danielson, Chair; Chapman and McCoy

As members of the Commission on the Status of Women:

- Sean Bagniewski – Dearden, Chair; Bowman and Chapman
- Elizabeth Coonan – Dearden, Chair; Bowman and Chapman
- David Gudenkauf – Dearden, Chair; Bowman and Chapman

**TRANSPORTATION**

As Director of Transportation:

- Paul Trombino III – Bowman, Chair; Danielson and Kapucian

As members of the State Transportation Commission:

- Kathleen Fehrman – Danielson, Chair; McCoy and Smith
- Charese Yanney – McCoy, Chair; Danielson and Feenstra

**VETERANS AFFAIRS**

As members of the Commission of Veterans Affairs:

- Dan Gannon – Danielson, Chair; Horn and Rozenboom
- Gary Wattnem – Ragan, Chair; Costello and Mathis

**AMENDMENTS FILED**

S-5082	H.F.	2064	Judiciary
S-5083	H.F.	2314	Judiciary
S-5084	H.F.	2399	Judiciary
S-5085	H.F.	493	Judiciary
S-5086	H.F.	2064	Kevin Kinney

# JOURNAL OF THE SENATE

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SIXTY-FIFTH CALENDAR DAY  
THIRTY-EIGHTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, March 15, 2016

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was sung by the Honorable Rita Hart, member of the Senate from Clinton County, Wheatland, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kasey Springsteen.

The Journal of Monday, March 14, 2016, was approved.

The Senate stood at ease at 9:14 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:21 a.m., President Jochum presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Chapman, until he arrives, on request of Senator Whitver.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Bolkcom asked and received unanimous consent to take up for consideration House Files 2146, 2180, and 2264.

## House File 2146

On motion of Senator McCoy, **House File 2146**, a bill for an act authorizing the dispensing of lottery tickets and products by self-service kiosks, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2146), the vote was:

Yeas, 39:

Allen	Dix	Kraayenbrink	Shiple
Anderson	Dotzler	Mathis	Sinclair
Bertrand	Dvorsky	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Hart	Ragan	Taylor
Breitbach	Horn	Schneider	Whitver
Chelgren	Jochum	Schoenjahn	Wilhelm
Courtney	Johnson	Schultz	Zaun
Danielson	Kapucian	Segebart	Zumbach
Dearden	Kinney	Seng	

Nays, 10:

Behn	Costello	Guth	Rozenboom
Bisignano	Feenstra	Hogg	
Bolkcom	Garrett	Quirnbach	

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 2180

On motion of Senator Wilhelm, **House File 2180**, a bill for an act relating to requirements for the transfer of township funds raised for purposes of acquiring or repairing a public hall, with report of committee recommending passage, was taken up for consideration.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2180), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shipleigh
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### House File 2264

On motion of Senator Hogg, **House File 2264**, a bill for an act concerning varsity athletics eligibility of students in open enrollment subjected to harassment or bullying, with report of committee recommending passage, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on **House File 2264** be **deferred**.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2146** and **2180** be **immediately messaged** to the House.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2265, 2267, and 2268.

**House File 2265**

On motion of Senator Hogg, **House File 2265**, a bill for an act relating to the disclosure of an address confidentiality program participant's address in certain legal proceedings, with report of committee recommending passage, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2265), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 2267

On motion of Senator Brase, **House File 2267**, a bill for an act related to civil service employees by providing cities with the authority to eliminate state residency requirements and modifying a city's authority to set distance or travel-based residency requirements, with report of committee recommending passage, was taken up for consideration.

Senator Brase moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2267), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 2268

On motion of Senator Dearden, **House File 2268**, a bill for an act concerning the confidentiality of public employee support information submitted to the public employment relations board, with report of committee recommending passage, was taken up for consideration.



Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2268), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 2016, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2433**, a bill for an act relating to state taxation by temporarily updating the Code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions, rescinding certain administrative rules and rule amendments and modifying the sales tax exemptions related to the purchase of items used in manufacturing and other activities, and including effective date and retroactive applicability provisions.

Read first time and attached to **companion Senate File 2303**.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2265, 2267, and 2268** be **immediately messaged** to the House.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2325 and 2336.

**House File 2325**

On motion of Senator Taylor, **House File 2325**, a bill for an act authorizing the severance of territory and transfer of services of a sanitary district by resolution, with report of committee recommending passage, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2325), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 2336

On motion of Senator Hart, **House File 2336**, a bill for an act relating to the duties and authority of the state board of education, the department of education, and local school districts and to the programs and activities under the purview of the state board and the department, with report of committee recommending passage, was taken up for consideration.

Senator Hart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2336), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2325** and **2336** be **immediately messaged** to the House.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2339 and 2341.

**House File 2339**

On motion of Senator Taylor, **House File 2339**, a bill for an act allowing benefited recreational lake districts and water quality districts to become members of watershed management authorities, with report of committee recommending passage, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2339), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 2341

On motion of Senator Mathis, **House File 2341**, a bill for an act relating to the operation of certain schools under the purview of the college student aid commission, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mathis offered amendment S-5078, filed by the committee on Education on March 10, 2016, to page 1 of the bill, and moved its adoption.

Amendment S-5078 was adopted by a voice vote.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2341), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2339** and **2341** be **immediately messaged** to the House.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2342, 2343, and 2354.

**House File 2342**

On motion of Senator Kinney, **House File 2342**, a bill for an act relating to signatures and other writing on applications for hunting, fishing, and fur harvester licenses, with report of committee recommending passage, was taken up for consideration.

Senator Kinney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2342), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 2343

On motion of Senator Kinney, **House File 2343**, a bill for an act relating to possession and storage of game or fur-bearing animals and their pelts and including penalties, with report of committee recommending passage, was taken up for consideration.

Senator Kinney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2343), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 2354

On motion of Senator Bisignano, **House File 2354**, a bill for an act relating to electronic recordings of court proceedings within a magistrate’s jurisdiction, with report of committee recommending passage, was taken up for consideration.

Senator Bisignano moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2354), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2342, 2343, and 2354** be **immediately messaged** to the House.

### BUSINESS PENDING

#### House File 2264

The Senate resumed consideration of **House File 2264**, a bill for an act concerning varsity athletics eligibility of students in open enrollment subjected to harassment or bullying, previously deferred.



Senator Hogg offered amendment S-5091, filed by him from the floor to pages 2 and amending the title page of the bill, and moved its adoption.

Amendment S-5091 was adopted by a voice vote.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2264), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2356 and 2357.

## House File 2356

On motion of Senator Dearden, **House File 2356**, a bill for an act providing for the towing of certain implements of husbandry in tandem among manufacturers, retail sellers, and farm purchasers, with report of committee recommending passage, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2356), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 2357

On motion of Senator Dearden, **House File 2357**, a bill for an act relating to turtle harvesting in the state and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2357), the vote was:

Yeas, 47:

Allen	Dearden	Johnson	Segebart
Anderson	Dix	Kapucian	Seng
Behn	Dotzler	Kinney	Shipley
Bertrand	Dvorsky	Mathis	Sinclair
Bisignano	Feenstra	McCoy	Smith
Bolkcom	Garrett	Petersen	Sodders
Bowman	Gronstal	Quirnbach	Taylor
Brase	Guth	Ragan	Whitver
Breitbach	Hart	Rozenboom	Wilhelm
Chelgren	Hogg	Schneider	Zaun
Courtney	Horn	Schoenjahn	Zumbach
Danielson	Jochum	Schultz	

Nays, 2:

Costello	Kraayenbrink
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Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2264, 2356, and 2357** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2363, 2364, and 2370.

## House File 2363

On motion of Senator Dvorsky, **House File 2363**, a bill for an act relating to member attendance and confidentiality at a closed session of a governmental body and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dvorsky offered amendment S-5072, filed by the committee on State Government on March 9, 2016, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5072 was adopted by a voice vote.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2363), the vote was:

Yeas, 46:

Anderson	Dotzler	Kinney	Seng
Behn	Dvorsky	Kraayenbrink	Shiple
Bertrand	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirnbach	Taylor
Chelgren	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zaun
Danielson	Jochum	Schoenjahn	Zumbach
Dearden	Johnson	Schultz	
Dix	Kapucian	Segebart	

Nays, 3:

Allen	Bisignano	Bolkcom
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Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

## House File 2364

On motion of Senator Courtney, **House File 2364**, a bill for an act relating to public notice and the accessibility of meetings of governmental bodies, with report of committee recommending passage, was taken up for consideration.

Senator Courtney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2364), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 2370

On motion of Senator Quirnbach, **House File 2370**, a bill for an act relating to exemptions from registration of postsecondary schools by the college student aid commission, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Quirmbach offered amendment S-5079, filed by the committee on Education on March 10, 2016, to page 1 of the bill, and moved its adoption.

Amendment S-5079 was adopted by a voice vote.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2370), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Chapman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2363, 2364, and 2370** be **immediately messaged** to the House.

## HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 15, 2016, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 2022**, a bill for an act relating to criminal jurisdiction on the Sac and Fox Indian settlement.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 11:44 a.m. until 3:00 p.m.

## RECONVENED

The Senate reconvened at 3:05 p.m., President Jochum presiding.

## 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 March 15, 2016, **passed** the following bills in which the concurrence of the House was asked:

**Senate File 2102**, a bill for an act relating to access to the information program for drug prescribing and dispensing administered by the board of pharmacy.

**Senate File 2110**, a bill for an act relating to persons examining and obtaining their own criminal history data.

**Senate File 2115**, a bill for an act creating the criminal offense of interference with official acts against a jailer, and providing penalties.

**Senate File 2144**, a bill for an act relating to the disclosure of behavioral health information for the purpose of patient care coordination, and including effective date provisions.

**Senate File 2164**, a bill for an act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered, and including applicability provisions.

**Senate File 2231**, a bill for an act relating to disaster aid payment authorization requirements under specified circumstances.

**Senate File 2234**, a bill for an act relating to the credit hours of educational assistance under the national guard educational assistance program.

**Senate File 2279**, a bill for an act relating to the credit union division and its regulatory matters.

ALSO: That the House has on March 15, 2016, **amended and passed** the following bills in which the concurrence of the Senate is asked:

**Senate File 2061**, a bill for an act relating to the legal representation of indigent persons in criminal proceedings. (S-5093)

**Senate File 2258**, a bill for an act concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims. (S-5094)

#### CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2303.

#### **Senate File 2303**

On motion of Senator Hogg, **Senate File 2303**, a bill for an act relating to state taxation by temporarily updating the Code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions, rescinding certain administrative rules and rule amendments and modifying the sales



tax exemptions related to the purchase of items used in manufacturing and other activities, and including effective date and retroactive applicability provisions, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Feenstra withdrew amendment S-5090, filed by him from the floor to pages 1-3 and amending the title page of the bill.

Senator Hogg asked and received unanimous consent that **House File 2433** be **substituted** for **Senate File 2303**.

### **House File 2433**

On motion of Senator Hogg, **House File 2433**, a bill for an act relating to state taxation by temporarily updating the Code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions, rescinding certain administrative rules and rule amendments and modifying the sales tax exemptions related to the purchase of items used in manufacturing and other activities, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Feenstra withdrew amendment S-5092, filed by him from the floor to page 1 and amending the title page of the bill.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2433), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun

Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### WITHDRAWN

Senator Hogg asked and received unanimous consent that **Senate File 2303** be **withdrawn** from further consideration of the Senate.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2433** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:33 p.m. until 9:00 a.m., Wednesday, March 16, 2016.

### APPENDIX

#### CERTIFICATE OF RECOGNITION

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

Mitch Eberle, Marshalltown—For receiving the highest possible score of 36 on the ACT as a junior in high school. Senator Sodders.

#### REPORT OF COMMITTEE MEETING

##### COMMERCE

**Convened:** Tuesday, March 15, 2016, 2:05 p.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:** Presentation by Geri Huser, chair of the Iowa Utilities Board.

**Adjourned:** 2:45 p.m.

**STUDY BILLS RECEIVED**

**SSB 3172      Government Oversight**

Relating to standards for and certification and inspection of children’s residential facilities.

**SSB 3173      Government Oversight**

Relating to Medicaid program improvement, and including effective date and retroactive applicability provisions.

**SUBCOMMITTEE ASSIGNMENTS**

**SSB 3172**

GOVERNMENT OVERSIGHT: Schoenjahn, Chair; Garrett, Hogg, Kinney and Whitver

**SSB 3173**

GOVERNMENT OVERSIGHT: Hogg, Chair; Garrett, Kinney, Schoenjahn and Whitver

**FINAL COMMITTEE REPORTS OF BILL ACTION**

**NATURAL RESOURCES AND ENVIRONMENT**

**Bill Title:** HOUSE FILE 2283, a bill for an act relating to carrying a firearm while operating or riding on a snowmobile or an all-terrain vehicle.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5087.

**Final Vote:** Ayes, 12: Dearden, Brase, Rozenboom, Behn, Johnson, Kinney, Petersen, Ragan, Schoenjahn, Seng, Shipley, and Zumbach. Nays, 1: Bolkom. Absent, none.

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

**ALSO:**

**Bill Title:** HOUSE FILE 2385, a bill for an act relating to littering and illegal dumping and modifying penalties.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5088.

**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.

## AMENDMENTS FILED

S-5087	H.F.	2283	Natural Resources and Environment
S-5088	H.F.	2385	Natural Resources and Environment
S-5089	S.F.	2300	William A. Dotzler, Jr.
S-5090	S.F.	2303	Randy Feenstra
S-5091	H.F.	2264	Robert M. Hogg
S-5092	H.F.	2433	Randy Feenstra
S-5093	S.F.	2061	House
S-5094	S.F.	2258	House

# JOURNAL OF THE SENATE

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SIXTY-SIXTH CALENDAR DAY  
THIRTY-NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, March 16, 2016

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was sung by Kaelyn Boyd, a senior from South Central Calhoun High School in Lake City, Iowa. She was the guest of Senator Kraayenbrink.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Emily Turek.

The Journal of Tuesday, March 15, 2016, was approved.

## INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Donna Mueller, the governor's appointee to be the Chief Executive Officer of the IPERS. She was the guest of Senators Feenstra and Horn and the committee on State Government.

The Senate stood at ease at 9:12 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:35 a.m., President Jochum presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bertrand, until he arrives, on request of Senator Dix.

CONSIDERATION OF BILLS  
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2278, 2297, 2300, and House File 588.

**Senate File 2278**

On motion of Senator Brase, **Senate File 2278**, a bill for an act providing for the administration of certain excise taxes imposed on the sale of cattle, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Brase offered amendment S-5070, filed by him on March 8, 2016, to pages 2, 4-6, and 8-10 and amending the title page of the bill, and moved its adoption.

Amendment S-5070 was adopted by a voice vote.

Senator Brase asked and received unanimous consent that **House File 2269** be **substituted** for **Senate File 2278**.

**House File 2269**

On motion of Senator Brase, **House File 2269**, a bill for an act providing for the administration of certain excise taxes imposed on the sale of cattle, was taken up for consideration.

Senator Brase moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2269), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shipley
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor

Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### WITHDRAWN

Senator Brase asked and received unanimous consent that **Senate File 2278** be **withdrawn** from further consideration of the Senate.

### Senate File 2297

On motion of Senator Mathis, **Senate File 2297**, a bill for an act relating to children's mental health and well-being and including provisions for contingent implementation, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2297), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shipley
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun

Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2300

On motion of Senator Hart, **Senate File 2300**, a bill for an act relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Dotzler offered amendment S-5089, filed by him on March 15, 2016, to page 10 of the bill, and moved its adoption.

Amendment S-5089 was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2300), the vote was:

Yeas, 46:

Allen	Dix	Kapucian	Seng
Anderson	Dotzler	Kinney	Shipley
Behn	Dvorsky	Kraayenbrink	Sinclair
Bisignano	Feenstra	Mathis	Smith
Bowman	Garrett	McCoy	Sodders
Brase	Gronstal	Petersen	Taylor
Breitbach	Guth	Ragan	Whitver
Chapman	Hart	Rozenboom	Wilhelm
Chelgren	Hogg	Schneider	Zaun



Costello	Horn	Schoenjahn	Zumbach
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, 3:

Bolkcom	Dearden	Quirmbach
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Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### House File 588

On motion of Senator Horn, **House File 588**, a bill for an act relating to the issuance of persons with disabilities removable windshield parking placards, and including effective date and applicability provisions, placed on the Unfinished Business Calendar on April 9, 2015, with report of committee recommending passage, was taken up for consideration.

Senator Horn offered amendment S-5073, filed by the committee on Transportation on March 9, 2016, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-5073 was adopted by a voice vote.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 588), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Schoenjahn
Anderson	Dearden	Johnson	Schultz
Behn	Dix	Kapucian	Segebart
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Kraayenbrink	Shiple
Bowman	Feenstra	Mathis	Sinclair
Brase	Garrett	McCoy	Smith
Breitbach	Gronstal	Petersen	Whitver

Chapman	Guth	Quirnbach	Wilhelm
Chelgren	Hart	Ragan	Zaun
Costello	Hogg	Rozenboom	Zumbach
Courtney	Horn	Schneider	

Nays, 2:

Sodders	Taylor
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Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2297** and **2300** and **House Files 588** and **2269** be **immediately messaged** to the House.

### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 617.

### House File 617

On motion of Senator Brase, **House File 617**, a bill for an act providing for special vehicle registration plates displaying a decal designed and issued by a nonprofit organization, providing fees, making a penalty applicable, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Brase offered amendment S-5074, filed by the committee on Transportation on March 9, 2016, to pages 1 and 3 of the bill, and moved its adoption.

Amendment S-5074 was adopted by a voice vote.

Senator Brase moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 617), the vote was:

Yeas, 47:

Allen	Dearden	Johnson	Segebart
Anderson	Dix	Kapucian	Seng
Behn	Dotzler	Kinney	Shipley
Bolkcom	Dvorsky	Kraayenbrink	Sinclair
Bowman	Feenstra	Mathis	Smith
Brase	Garrett	McCoy	Sodders
Breitbach	Gronstal	Petersen	Taylor
Chapman	Guth	Ragan	Whitver
Chelgren	Hart	Rozenboom	Wilhelm
Costello	Hogg	Schneider	Zaun
Courtney	Horn	Schoenjahn	Zumbach
Danielson	Jochum	Schultz	

Nays, 2:

Bisignano                      Quirmbach

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2266, 2278, and 2345.

#### **House File 2266**

On motion of Senator Allen, **House File 2266**, a bill for an act concerning unclaimed cremated remains, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Allen offered amendment S-5068, filed by the committee on Veterans Affairs on March 8, 2016, to page 1 of the bill, and moved its adoption.

Amendment S-5068 was adopted by a voice vote.

Senator Allen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2266), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 2278

On motion of Senator Kinney, **House File 2278**, a bill for an act relating to the limitations of criminal actions in kidnapping or human trafficking offenses, and providing penalties, with report of committee recommending passage, with was taken up for consideration.

Senator Kinney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2278), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### House File 2345

On motion of Senator McCoy, **House File 2345**, a bill for an act requiring annual reports by county engineers and the department of transportation on the use of road use tax fund moneys to replace or repair structurally deficient bridges under county jurisdiction, with report of committee recommending amendment and passage, was taken up for consideration.

Senator McCoy offered amendment S-5075, filed by the committee on Transportation on March 10, 2016, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5075 was adopted by a voice vote.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2345), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 617, 2266, 2278, and 2345** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2353, 2377, 2386, and 2387.

## House File 2353

On motion of Senator Bowman, **House File 2353**, a bill for an act removing prohibitions on emergency management organization employees from holding elective office, with report of committee recommending passage, was taken up for consideration.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2353), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 2377

On motion of Senator Mathis, **House File 2377**, a bill for an act relating to the rural Iowa primary care and the rural Iowa advanced registered nurse practitioner and physician assistant loan repayment programs, with report of committee recommending passage, was taken up for consideration.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2377), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shipley
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 2386

On motion of Senator Sodders, **House File 2386**, a bill for an act relating to grounds for termination of parental rights of an individual relative to sexual abuse, with report of committee recommending passage, was taken up for consideration.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2386), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shipley
Behn	Dotzler	Kraayenbrink	Sinclair



Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### House File 2387

On motion of Senator Bolkcom, **House File 2387**, a bill for an act requiring the dental board to offer an alternative examination for licensure, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2387), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shipley
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Bolkcom asked and received unanimous consent that **House Files 2353, 2377, 2386, and 2387** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Bolkcom asked and received unanimous consent to take up for consideration House Files 2400, 2401, and 2420.

#### House File 2400

On motion of Senator Hogg, **House File 2400**, a bill for an act providing for voidable commercial transactions and including applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2400), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shipley
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Costello	Horn	Schoenjahn
Courtney	Jochum	Schultz
Danielson	Johnson	Segebart

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### House File 2401

On motion of Senator Courtney, **House File 2401**, a bill for an act prohibiting persons from opening or using a credit card in the name of a minor without the consent of the minor's parent, guardian, or legal custodian, and providing criminal penalties, with report of committee recommending passage, was taken up for consideration.

Senator Courtney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2401), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 2420

On motion of Senator Sodders, **House File 2420**, a bill for an act relating to untested sexual abuse evidence collection kits stored at law enforcement agencies, with report of committee recommending passage, was taken up for consideration.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2420), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2400, 2401, and 2420** be **immediately messaged** to the House.

## 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 March 16, 2016, **passed** the following bills in which the concurrence of the House was asked:

**Senate File 378**, a bill for an act relating to reimbursement of defense costs of peace officers and corrections officers.

**Senate File 2191**, a bill for an act establishing an office within the department of public safety to oversee efforts to combat human trafficking.

**Senate File 2194**, a bill for an act concerning administrative law judges appointed or employed by the public employment relations board.

**Senate File 2214**, a bill for an act relating to the dispensing of additional quantities of a prescription within the limitations of the prescription.

ALSO: That the House has on March 16, 2016, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2429**, a bill for an act concerning gambling game licensure fees, and including penalty and applicability provisions.

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

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 12:27 p.m. until 9:00 a.m., Thursday, March 17, 2016.

**APPENDIX****REPORT OF COMMITTEE MEETING****AGRICULTURE**

**Convened:** Wednesday, March 16, 2016, 2:00 p.m.

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

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

**Committee Business:** Governor's appointees; presentation by Dustin Miller for Urban Rural Collaboration for Water Quality.

**Adjourned:** 2:35 p.m.

# JOURNAL OF THE SENATE

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SIXTY-SEVENTH CALENDAR DAY  
FORTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, March 17, 2016

The Senate met in regular session at 9:07 a.m., President Jochum presiding.

Prayer was offered by Mr. Michael Curran from County Waterford, Ireland. He was the guest of all.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Hannah Dettmann.

The Journal of March 16, 2016, was approved.

## INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Robert von Wolfradt, the governor's appointee to be the Chief Information Officer. He was the guest of Senators Danielson and Chapman and the committee on State Government.

## SPECIAL GUESTS

Senator Johnson introduced to the Senate chamber Deputy John Deasy, TD, a Fine Gael politician from County Waterford, Ireland. He was accompanied by Michael Curran, also of Ireland; and Emmetsburg, Iowa's Miss Shamrock, Kayla Joyce and her parents Andy and Tina Joyce.

Deputy Deasy addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2279.

**House File 2279**

On motion of Senator Sodders, **House File 2279**, a bill for an act relating to possessing and transferring firearm suppressors, providing penalties, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sodders offered amendment S-5055, filed by the committee on Judiciary on March 2, 2016, to page 3 of the bill, and moved its adoption.

Amendment S-5055 was adopted by a voice vote.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2279), the vote was:

Yeas, 46:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Ragan	Whitver
Breitbach	Guth	Rozenboom	Wilhelm
Chapman	Hart	Schneider	Zaun
Chelgren	Horn	Schoenjahn	Zumbach
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, 4:

Bolkcom	Dvorsky	Hogg	Quirmbach
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Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.



## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bertrand, until he returns, on request of Senator Dix.

## CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2301.

### Senate File 2301

On motion of Senator Petersen, **Senate File 2301**, a bill for an act relating to the Iowa educational savings plan trust and including effective date provisions, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Petersen withdrew amendment S-5067, filed by her on March 8, 2016, to page 1 of the bill.

Senator Petersen withdrew amendment S-5076, filed by her on March 10, 2016, to page 1 of the bill.

Senator Petersen offered amendment S-5095, filed by her from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5095 was adopted by a voice vote.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2301), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	ShIPLEY
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith

Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2301** and **House File 2279** be **immediately messaged** to the House.

#### BILLS REFERRED TO UNFINISHED BUSINESS CALENDAR

The following Senate Files were referred from the Regular Calendar to the Unfinished Business Calendar:

H.F.	493	H.F.	2333
H.F.	2064	H.F.	2373
H.F.	2261	H.F.	2385
H.F.	2274	H.F.	2392
H.F.	2275	H.F.	2399
H.F.	2283	H.F.	2413
H.F.	2314	H.F.	2414
H.F.	2324	H.F.	2421

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:36 a.m. until 1:00 p.m., Monday, March 21, 2016.

## APPENDIX

### CERTIFICATES OF RECOGNITION

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

Zachary Bogaczyk of Waukee High School—For winning the 2016 Boys Swimming State Championship. Senator Schneider.

Cameron Briggs of Waukee High School—For winning the 2016 Boys Swimming State Championship. Senator Schneider.

Coach Dan Briggs of Waukee High School—For winning the 2016 Boys Swimming State Championship. Senator Schneider.

AJ Gainer of Waukee High School—For winning the 2016 Boys Swimming State Championship. Senator Schneider.

Jackson Kuhlers of Waukee High School—For winning the 2016 Boys Swimming State Championship. Senator Schneider.

Zach Linder of Waukee High School—For winning the 2016 Boys Swimming State Championship. Senator Schneider.

Gus Muenzenmay of Waukee High School—For winning the 2016 Boys Swimming State Championship. Senator Schneider.

Tanner Pingel of Waukee High School—For winning the 2016 Boys Swimming State Championship. Senator Schneider.

Grady Rogers of Waukee High School—For winning the 2016 Boys Swimming State Championship. Senator Schneider.

Brett Shaw of Waukee High School—For winning the 2016 Boys Swimming State Championship. Senator Schneider.

Liam Stubbe, Ackley—For achieving the rank of Eagle Scout. Senator Ragan.

Josh Waltman of Waukee High School—For winning the 2016 Boys Swimming State Championship. Senator Schneider.

Coach Cass Zorn of Waukee High School—For winning the 2016 Boys Swimming State Championship. Senator Schneider.

### REPORTS OF COMMITTEE MEETINGS

#### GOVERNMENT OVERSIGHT

**Convended:** Thursday, March 17, 2016, 10:05 a.m.

**Members Present:** Hogg, Chair; Schoenjahn, Vice Chair; Garrett, Ranking Member; Kinney, and Whitver.

**Members Absent:** None.

**Committee Business:** Approved SSBs 3172 and 3173.

**Adjourned:** 11:10 a.m.

## HUMAN RESOURCES

**Convened:** Wednesday, March 16, 2016, 3:00 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 and by Liz Matney, Managed Care Bureau Chief at IME.

**Adjourned:** 4:30 p.m.

## INTRODUCTION OF RESOLUTION

**Senate Resolution 108**, by Jochum, Dix, and Gronstal, a resolution designating March 22, 2016, as Iowa Women's History Day.

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

## INTRODUCTION OF BILLS

**Senate File 2304**, by committee on Government Oversight, a bill for an act relating to standards for and certification and inspection of children's residential facilities.

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

**Senate File 2305**, by committee on Government Oversight, a bill for an act relating to Medicaid program improvement, and including effective date and retroactive applicability provisions.

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

STUDY BILLS RECEIVED

**SSB 3174      Ways and Means**

Relating to the calculation of certain court costs in probate matters, and including applicability provisions.

**SSB 3175      Appropriations**

Relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability date provisions.

SUBCOMMITTEE ASSIGNMENTS

**SSB 3174**

WAYS AND MEANS: Hogg, Chair; Anderson and McCoy

**SSB 3175**

APPROPRIATIONS: Dvorsky, Chair; Ragan and Segebart

FINAL COMMITTEE REPORTS OF BILL ACTION

**GOVERNMENT OVERSIGHT**

**Bill Title:** SENATE FILE 2304 (SSB 3172), a bill for an act relating to standards for and certification and inspection of children’s residential facilities.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 5: Hogg, Schoenjahn, Garrett, Kinney, and Whitver. Nays, none. Absent, none.

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

**ALSO:**

**Bill Title:** SENATE FILE 2305 (SSB 3173), a bill for an act relating to Medicaid program improvement, and including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 3: Hogg, Schoenjahn, and Kinney. Nays, 2: Garrett and Whitver. Absent, none.

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

AMENDMENT FILED

S-5095      S.F.      2301      Janet Petersen

# JOURNAL OF THE SENATE

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SEVENTY-FIRST CALENDAR DAY  
FORTY-FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, March 21, 2016

The Senate met in regular session at 1:11 p.m., President Jochum presiding.

Prayer was offered by Reverend Paul Collier, pastor of the First Presbyterian Church in Mason City, Iowa. He was the guest of Senator Ragan.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Philip Kiely.

The Journal of Thursday, March 17, 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 March 17, 2016, **passed** the following bills in which the concurrence of the House was asked:

**Senate File 2059**, 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.

**Senate File 2111**, a bill for an act providing that certain peace officers and law enforcement officials are not required to use a notarial stamp when administering oaths or acknowledging signatures.

**Senate File 2147**, 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.

**Senate File 2242**, 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.

ALSO: That the House has on March 17, 2016, **amended and passed** the following bills in which the concurrence of the Senate is asked:

**Senate File 1**, a bill for an act relating to bidding for purchases through a competitive bidding process by the state. (S-5096)

**Senate File 2162**, a bill for an act providing for the use of an electronic filing system for administrative proceedings by the administrative hearings division of the department of inspections and appeals. (S-5097)

**Senate File 2260**, a bill for an act relating to disclosure of ownership and control information for nonprofit corporations under the Medicaid program. (S-5098)

## RECESS

On motion of Senator Gronstal, the Senate recessed at 1:17 p.m. until the completion of a meeting of the committee on Rules and Administration.

## RECONVENED

The Senate reconvened at 1:22 p.m., President Jochum presiding.

## FINAL COMMITTEE REPORT OF BILL ACTION

### RULES AND ADMINISTRATION

**Bill Title:** SENATE RESOLUTION 107, a resolution recognizing July 16, 2016, as Iowa Atomic Veterans Day.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Gronstal, Jochum, Dix, Courtney, Dvorsky, Guth, Ragan, Soddors, and Whitver. Nays, none. Absent, 2: Chapman and Dearden.

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

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 107.

**Senate Resolution 107**

On motion of Senator Guth, **Senate Resolution 107**, a resolution recognizing July 16, 2016, as Iowa Atomic Veterans Day, with report of committee recommending passage, was taken up for consideration.

Senator Guth moved the adoption of Senate Resolution 107, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:27 p.m. until 9:00 a.m., Tuesday, March 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 NATURAL RESOURCES

Annual Report, pursuant to Iowa Code section 455A.4(1)(d). Report received on March 18, 2016.

Resources Enhancement and Protection Recommendations, pursuant to Iowa Code section 455A.17. Report received on March 18, 2016.

BOARD OF REGENTS

Gifts and Grants Monthly Report for February 2016, pursuant to Iowa Code section 8.44. Report received on March 18, 2016.



## CERTIFICATES OF RECOGNITION

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

Jonathon Bliss of Dowling Catholic High School—For winning the 2015 Class 4A Football Championship. Senator Zaun.

Ross Otte of Dowling Catholic High School—For winning the 2015 Class 4A Football Championship. Senator Zaun.

Jacob Shedenhelm of Dowling Catholic High School—For winning the 2015 Class 4A Football Championship. Senator Zaun.

Jennie Stucker, Burlington—For celebrating her 100<sup>th</sup> birthday. Senator Courtney.

Brawntae Wells of Dowling Catholic High School—For winning the 2015 Class 4A Football Championship. Senator Zaun.

## REPORT OF COMMITTEE MEETING

### HUMAN RESOURCES

**Convened:** Monday, March 21, 2016, 3:00 p.m.

**Members Present:** Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, and Wilhelm.

**Members Absent:** Chelgren and Taylor (both excused).

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

**Adjourned:** 3:20 p.m.

## INTRODUCTION OF RESOLUTION

**Senate Resolution 109**, by Bisignano, a resolution commemorating April 6, 2016, as the 25th anniversary of the conclusion of Operation Desert Shield/Desert Storm.

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

## INTRODUCTION OF BILL

**Senate File 2306**, by committee on Ways and Means, a bill for an act establishing the facilitating business rapid response to state-declared disasters Act, and including effective date and retroactive applicability provisions.

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

## FINAL COMMITTEE REPORTS OF BILL ACTION

### RULES AND ADMINISTRATION

**Bill Title:** SENATE RESOLUTION 108, a resolution designating March 22, 2016, as Iowa Women's History Day.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Gronstal, Jochum, Dix, Courtney, Dvorsky, Guth, Ragan, Sodders, and Whitver. Nays, none. Absent, 2: Chapman and Dearden.

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

### WAYS AND MEANS

**Bill Title:** \*SENATE FILE 2306 (SSB 3115), a bill for an act establishing the facilitating business rapid response to state-declared disasters Act, and including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Bolkcom, Allen, Feenstra, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: Anderson.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2306, and they were attached to the committee report.

**BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR**

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 21st day of March, 2016.

Senate Files 2151, 2159, 2170, 2189, 2181, 2200, 2221, and 2257.

MICHAEL E. MARSHALL  
Secretary of the Senate

**AMENDMENTS FILED**

S-5096	S.F.	1	House
S-5097	S.F.	2162	House
S-5098	S.F.	2260	House

# JOURNAL OF THE SENATE

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SEVENTY-SECOND CALENDAR DAY  
FORTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, March 22, 2016

The Senate met in regular session at 9:01 a.m., President Pro Tempore Sodders presiding.

Prayer was offered by Bishop Michael Burk of the Southeastern Iowa Synod. He was the guest of Senator Dvorsky.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kira Le.

The Journal of Monday, March 21, 2016, was approved.

## CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 108.

### **Senate Resolution 108**

On motion of President Jochum, **Senate Resolution 108**, a resolution designating March 22, 2016, as Iowa Women's History Day, with report of committee recommending passage, was taken up for consideration.

Senator Jochum moved the adoption of Senate Resolution 108, which motion prevailed by a voice vote.

The Senate stood at ease at 9:15 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:10 a.m., President Jochum presiding.

### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Chelgren, Feenstra, and Schneider, until they arrive, on request of Senator Dix.

### HOUSE AMENDMENT CONSIDERED

#### Senate File 2258

Senator Gronstal called up for consideration **Senate File 2258**, a bill for an act concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims, amended by the House in House amendment S-5094, filed March 15, 2016.

Senator Mathis moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Mathis moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2258), the vote was:

Yeas, 47:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Garrett	McCoy	Sodders
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirnbach	Whitver

Breitbach	Hart	Ragan	Wilhelm
Chapman	Hogg	Rozenboom	Zaun
Costello	Horn	Schoenjahn	Zumbach
Courtney	Jochum	Schultz	

Nays, none.

Absent, 3:

Chelgren	Feenstra	Schneider
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2296 and House Files 2261 and 2275.

#### **Senate File 2296**

On motion of Senator Schoenjahn, **Senate File 2296**, 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, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2296), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Nays, 21:

Anderson	Dix	Rozenboom	Whitver
Behn	Garrett	Schultz	Zaun
Bertrand	Guth	Segebart	Zumbach
Breitbach	Johnson	Shipley	
Chapman	Kapucian	Sinclair	
Costello	Kraayenbrink	Smith	

Absent, 3:

Chelgren	Feenstra	Schneider
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### House File 2261

On motion of Senator Bolkcom, **House File 2261**, a bill for an act authorizing political subdivisions to invest in certain joint investment trusts that are operated in accordance with the governmental accounting standards board, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2261), the vote was:

Yeas, 47:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Garrett	McCoy	Sodders
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirnbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hogg	Rozenboom	Zaun
Costello	Horn	Schoenjahn	Zumbach
Courtney	Jochum	Schultz	

Nays, none.

Absent, 3:

Chelgren                      Feenstra                      Schneider

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### House File 2275

On motion of Senator Quirmbach, **House File 2275**, a bill for an act relating to the disbursement of all Iowa opportunity scholarships, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending passage, was taken up for consideration.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2275), the vote was:

Yeas, 47:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Garrett	McCoy	Sodders
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hogg	Rozenboom	Zaun
Costello	Horn	Schoenjahn	Zumbach
Courtney	Jochum	Schultz	

Nays, none.

Absent, 3:

Chelgren                      Feenstra                      Schneider

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.



## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2258 and 2296** and **House Files 2261 and 2275** be **immediately messaged** to the House.

CONSIDERATION OF BILLS  
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2283, 2324, and 2385.

**House File 2283**

On motion of Senator Dearden, **House File 2283**, a bill for an act relating to carrying a firearm while operating or riding on a snowmobile or an all-terrain vehicle, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dearden offered amendment S-5087, filed by the committee on Natural Resources and Environment on March 15, 2016, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-5087 was adopted by a voice vote.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2283), the vote was:

Yeas, 43:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	ShIPLEY
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Garrett	Mathis	Smith
Bowman	Gronstal	McCoy	Sodders
Brase	Guth	Petersen	Taylor
Breitbach	Hart	Ragan	Whitver
Chapman	Hogg	Rozenboom	Wilhelm
Costello	Horn	Schoenjahn	Zaun
Courtney	Jochum	Schultz	Zumbach
Danielson	Johnson	Segebart	

Nays, 4:

Bisignano

Bolkcom

Dvorsky

Quirmbach

Absent, 3:

Chelgren

Feenstra

Schneider

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### **House File 2324**

On motion of Senator Quirmbach, **House File 2324**, a bill for an act providing for a computer science advisory council to be convened by the director of the department of education, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Quirmbach offered amendment S-5077, filed by the committee on Education on March 10, 2016, to pages 1 and 2 and amending the title page of the bill.

Senator Quirmbach offered amendment S-5099, filed by him from the floor to page 1 of amendment S-5077.

Senator Hart asked and received unanimous consent that action on amendment S-5077 and amendment S-5099 to amendment S-5077, and **House File 2324** be **deferred**.

### **House File 2385**

On motion of Senator Brase, **House File 2385**, a bill for an act relating to littering and illegal dumping and modifying penalties, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Brase offered amendment S-5088, filed by the committee on Natural Resources and Environment on March 15, 2016, to pages 1 and 2 of the bill, and moved its adoption.

Amendment S-5088 was adopted by a voice vote.

Senator Brase moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2385), the vote was:

Yeas, 47:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Garrett	McCoy	Sodders
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirnbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Chapman	Hogg	Rozenboom	Zaun
Costello	Horn	Schoenjahn	Zumbach
Courtney	Jochum	Schultz	

Nays, none.

Absent, 3:

Chelgren	Feenstra	Schneider
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2283** and **2385** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:43 a.m. until 9:00 a.m., Wednesday, March 23, 2016.

**APPENDIX****REPORT OF COMMITTEE MEETING****LOCAL GOVERNMENT**

**Convened:** Tuesday, March 22, 2016, 1:35 p.m.

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

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

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

**Adjourned:** 1:40 p.m.

**STUDY BILLS RECEIVED****SSB 3176 Appropriations**

Relating to employment services programs administered by the department of workforce development by providing for conformity with federal law concerning the workforce development board, authorizing the department to carry out certain actions relating to the unemployment insurance program, making an appropriation, and including effective date provisions.

**SSB 3177 Appropriations**

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and including effective date provisions.

**SUBCOMMITTEE ASSIGNMENTS****House File 2429**

STATE GOVERNMENT: Danielson, Chair; Schoenjahn and Whitver

**SSB 3176**

APPROPRIATIONS: Dotzler, Chair; Dvorsky and Schneider

**SSB 3177**

APPROPRIATIONS: Dvorsky, Chair; Brase and Zumbach

## CONFERENCE COMMITTEE REPORTS RECEIVED

### Senate File 174

A conference committee report, signed by the following Senate and House members, was filed March 22, 2016, on **Senate File 174**, a bill for an act establishing the state percent of growth:

On the part of the Senate:

TOD R. BOWMAN, Chair  
ROBERT E. DVORSKY  
TIM KRAAYENBRINK  
HERMAN C. QUIRMBACH  
AMY SINCLAIR

On the part of the House:

RON JORGENSEN, Chair  
CECIL DOLECHECK  
QUENTIN STANERSON

### Senate File 175

A conference committee report, signed by the following Senate and House members, was filed March 22, 2016, on **Senate File 175**, a bill for an act establishing the categorical state percent of growth:

On the part of the Senate:

TOD R. BOWMAN, Chair  
ROBERT E. DVORSKY  
TIM KRAAYENBRINK  
HERMAN C. QUIRMBACH  
AMY SINCLAIR

On the part of the House:

RON JORGENSEN, Chair  
CECIL DOLECHECK  
QUENTIN STANERSON

## 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:

### LOCAL GOVERNMENT

James Halverson – City Development Board

Heidi Burhans – Mental Health Risk Pool Board

Eugene Meiners – Mental Health Risk Pool Board

### AMENDMENT FILED

S-5099      H.F.    2324      Herman C. Quirmbach

# JOURNAL OF THE SENATE

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SEVENTY-THIRD CALENDAR DAY  
FORTY-THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, March 23, 2016

The Senate met in regular session at 9:05 a.m., President Jochum presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Samantha Lofthouse.

The Journal of Tuesday, March 22, 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 March 22, 2016, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 2276**, a bill for an act relating to the standards for land surveying, including requirements for recorded document formatting, monument preservation certificates, and retracement plats of survey.

ALSO: That the House has on March 22, 2016, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

**House File 2264**, a bill for an act concerning varsity athletics eligibility of students in open enrollment subjected to harassment or bullying.

**House File 2266**, a bill for an act concerning unclaimed cremated remains.

**House File 2279**, a bill for an act relating to possessing and transferring firearm suppressors, providing penalties, and including effective date provisions.

ALSO: That the House has on March 22, 2016, **amended and passed** the following bills in which the concurrence of the Senate is asked:

**Senate File 503**, a bill for an act relating to certain fees collected by the county sheriff. (S-5100)

**Senate File 2233**, a bill for an act creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty. (S-5101)

ALSO: That the House has on March 22, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2432**, a bill for an act relating to salaries and apportionment of judicial officers and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

**House File 2436**, a bill for an act relating to real estate appraisal, including by requiring the superintendent of banking to regulate appraisal management companies and supervise the Iowa real estate appraiser board, making penalties applicable, and including effective date provisions.

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

The Senate stood at ease at 9:18 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:41 a.m., President Jochum presiding.

## CONFERENCE COMMITTEE REPORTS CONSIDERED

### Senate File 174

Senator Gronstal called up the conference committee report on **Senate File 174**, a bill for an act establishing the state percent of growth, filed on March 22, 2016, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 174), the vote was:

Yeas, 44:

Allen	Dearden	Johnson	Schultz
Anderson	Dix	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bertrand	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirmbach	Taylor
Costello	Hart	Ragan	Whitver
Courtney	Hogg	Schneider	Wilhelm
Danielson	Jochum	Schoenjahn	Zumbach

Nays, 6:

Bisignano	Chelgren	Rozenboom
Chapman	Horn	Zaun

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.



## Senate File 175

Senator Gronstal called up the conference committee report on **Senate File 175**, a bill for an act establishing the categorical state percent of growth, filed on March 22, 2016, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 175), the vote was:

Yeas, 46:

Allen	Dearden	Johnson	Segebart
Anderson	Dix	Kapucian	Seng
Behn	Dotzler	Kinney	Shipley
Bertrand	Dvorsky	Kraayenbrink	Sinclair
Bisignano	Feenstra	Mathis	Smith
Bolkcom	Garrett	McCoy	Sodders
Bowman	Gronstal	Petersen	Taylor
Brase	Guth	Quirmbach	Whitver
Breitbach	Hart	Ragan	Wilhelm
Costello	Hogg	Schneider	Zumbach
Courtney	Horn	Schoenjahn	
Danielson	Jochum	Schultz	

Nays, 4:

Chapman	Chelgren	Rozenboom	Zaun
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Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

## HOUSE AMENDMENT CONSIDERED

## Senate File 2162

Senator Gronstal called up for consideration **Senate File 2162**, a bill for an act providing for the use of an electronic filing system for administrative proceedings by the administrative hearings division of the department of inspections and appeals, amended by the House in House amendment S-5097, filed March 21, 2016.

Senator Bowman moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Bowman moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2162), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	ShIPLEY
Bertrand	Dotzler	Kraayenbrink	SINCLAIR
Bisignano	Dvorsky	Mathis	SMITH
Bolkcom	Feenstra	McCoy	SODDERS
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2060.

#### **Senate File 2060**

On motion of Senator Bisignano, **Senate File 2060**, a bill for an act relating to the appointment of a guardian ad litem in an adoption proceeding, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Bisignano asked and received unanimous consent that **House File 2282** be **substituted** for **Senate File 2060**.

### House File 2282

On motion of Senator Bisignano, **House File 2282**, a bill for an act relating to the appointment of a guardian ad litem in an adoption proceeding, was taken up for consideration.

Senator Bisignano moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2282), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### WITHDRAWN

Senator Bisignano asked and received unanimous consent that **Senate File 2060** be **withdrawn** from further consideration of the Senate.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 174, 175, and 2162** and **House File 2282** be **immediately messaged** to the House.

CONSIDERATION OF BILL  
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2283.

**Senate File 2283**

On motion of Senator Shipley, **Senate File 2283**, a bill for an act 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, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Shipley offered amendment S-5015, filed by the committee on Judiciary on February 22, 2016, to page 54 of the bill, and moved its adoption.

Amendment S-5015 was adopted by a voice vote.

Senator Shipley asked and received unanimous consent that **House File 2359** be **substituted** for **Senate File 2283**.

**House File 2359**

On motion of Senator Shipley, **House File 2359**, a bill for an act 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, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2359), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## WITHDRAWN

Senator Shipley asked and received unanimous consent that **Senate File 2283** be **withdrawn** from further consideration of the Senate.

## CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2304.

### **Senate File 2304**

On motion of Senator Schoenjahn, **Senate File 2304**, a bill for an act relating to standards for and certification and inspection of children's residential facilities, was taken up for consideration.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2304), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2304** and **House File 2359** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:28 a.m. until 9:00 a.m., Thursday, March 24, 2016.

## APPENDIX

### CERTIFICATE OF RECOGNITION

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

Ray Hoffmann, Sioux City—For receiving an honorary degree from Morningside College. Senator Anderson.

### REPORTS OF COMMITTEE MEETINGS

#### COMMERCE

**Convened:** Wednesday, March 23, 2016, 2:50 p.m.

**Members Present:** Petersen, Chair; McCoy, Vice Chair; Allen, Bolkcom, Mathis, Schneider, Schoenjahn, Seng, Sinclair, Smith, and Zumbach.

**Members Absent:** Anderson, Ranking Member; Bertrand, Courtney, and Soddors (all excused).

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

**Adjourned:** 2:55 p.m.

#### EDUCATION

**Convened:** Wednesday, March 23, 2016, 1:35 p.m.

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

**Members Absent:** None.

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

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

#### HUMAN RESOURCES

**Convened:** Wednesday, March 23, 2016, 3:00 p.m.

**Members Present:** Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, and Taylor.

**Members Absent:** Chelgren and Wilhelm (both excused).

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

**Adjourned:** 4:15 p.m.

**NATURAL RESOURCES AND ENVIRONMENT**

**Convened:** Wednesday, March 23, 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:** Governor's appointees.

**Adjourned:** 2:25 p.m.

**STATE GOVERNMENT**

**Convened:** Tuesday, March 22, 2016, 2:25 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:** Governor's appointees.

**Adjourned:** 2:35 p.m.

**VETERANS AFFAIRS**

**Convened:** Wednesday, March 23, 2016, 2:30 p.m.

**Members Present:** Horn, Chair; Mathis, Vice Chair; Segebart, Ranking Member; Allen, Costello, Hart, Ragan, and Rozenboom.

**Members Absent:** Chelgren, Danielson, and Soddors (all excused).

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

**Adjourned:** 2:35 p.m.

**STUDY BILL RECEIVED****SSB 3178      Ways and Means**

Modifying the rebate of sales and use tax to the owner or operator of a raceway facility.



## SUBCOMMITTEE ASSIGNMENTS

### Senate File 2113

WAYS AND MEANS: Dotzler, Chair; Feenstra and Petersen

### SSB 3178

WAYS AND MEANS: Dotzler, Chair; Allen and Feenstra

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 23, 2016, the Governor approved and transmitted to the Secretary of State the following bills:

**Senate File 2151** – Relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

**Senate File 2170** – Modifying the notice requirements for public improvement projects.

**Senate File 2181** – Relating to the funding and operation of programs to collect and dispose of household hazardous materials.

**Senate File 2189** – Relating to nonsubstantive Code corrections.

**Senate File 2200** – Concerning instruction provided through the Iowa learning online initiative.

**Senate File 2221** – Relating to public utilities and sanitary sewage or storm water drainage disposal system providers.

**Senate File 2257** – Concerning the issuance of bonds authorized by the Iowa finance authority relating to projects and bond issuers regardless of location.

## 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:

### COMMERCE

Karyn Finn – Credit Union Review Board

Jeffrey Hayes – Credit Union Review Board

Scott Zahnle – Credit Union Review Board

Mary Sellers – Iowa Telecommunications and Technology Commission

**EDUCATION**

James Curry – Iowa Autism Council  
Dr. Matthew O'Brien – Iowa Autism Council  
James Paprocki – Iowa Autism Council

Richard Clewell – Early Childhood Iowa State Board  
Elizabeth Colby Plautz – Early Childhood Iowa State Board  
Judy Janning-Reicks – Early Childhood Iowa State Board

Bettie Bolar – State Board of Education  
Michael Knedler – State Board of Education

Thomas Buckman – Board of Educational Examiners  
Dr. Jay Prescott – Board of Educational Examiners  
Dr. Anne Sullivan – Board of Educational Examiners

Dr. Edward Rogalski – Iowa Higher Education Loan Authority

Gina Primmer – School Budget Review Committee  
Leland Tack – School Budget Review Committee

**HUMAN RESOURCES**

Richard Motz – Commission on Aging  
Richard Stone – Commission on Aging

Christopher Kamm – Board of Athletic Training  
Christopher Wiedmann – Board of Athletic Training

Erik Oostenink – Board of Behavioral Science  
Jill Struyk – Board of Behavioral Science  
Sarah Thomas – Board of Behavioral Science

Joe Hickey – Commissions of Persons with Disabilities  
Prakash Kopparapu – Commissions of Persons with Disabilities

Kimberly Kudej – Council on Human Services

Marlu Abarca – Commission of Latino Affairs  
Jeannette Martinez – Commission of Latino Affairs  
Michelle Reuss – Commission of Latino Affairs  
Juan Rodriguez – Commission of Latino Affairs

Marsha Edgington – Mental Health and Disability Services Commission  
Sharon Lambert – Mental Health and Disability Services Commission  
Brett McLain – Mental Health and Disability Services Commission  
Rebecca Peterson – Mental Health and Disability Services Commission  
Marilyn Seemann – Mental Health and Disability Services Commission

Michael B. Ballard – Board of Sign Language Interpreters and Transliterators  
Susan Tyrrell – Board of Sign Language Interpreters and Transliterators

Lorene Mein – Commission on Tobacco Use Prevention and Control  
Michele (Micki) Sandquist – Commission on Tobacco Use Prevention and Control  
Melissa Walker – Commission on Tobacco Use Prevention and Control

### **LABOR AND BUSINESS RELATIONS**

James Strohman – Employment Appeal Board

Donald Hansen – Plumbing and Mechanical Systems Examining Board  
Kevin Kiene – Plumbing and Mechanical Systems Examining Board  
Robert Kunkel – Plumbing and Mechanical Systems Examining Board

Ken Sagar – Iowa Workforce Development Board

### **NATURAL RESOURCES AND ENVIRONMENT**

N. Kurt Mumm, Jr. – Iowa Comprehensive Petroleum Underground Storage Tank Fund Board

Kelly Nieuwenhuis – Renewable Fuel Infrastructure Board  
Eric Seuren – Renewable Fuel Infrastructure Board

### **STATE GOVERNMENT**

Dirk Dixon – Accountancy Examining Board  
Ying Sa – Accountancy Examining Board  
Laura Walker – Accountancy Examining Board

Dr. Ahmadu Baba-Singhri – Commission on the Status of African Americans  
Michael Hulme – Commission on the Status of African Americans  
Miranda Mathis – Commission on the Status of African Americans  
Clair Rudison, Jr. – Commission on the Status of African Americans

Kolby DeWitt – Architectural Examining Board  
Emily Forquer – Architectural Examining Board

Peggy La – Commission of Asian and Pacific Islander Affairs  
Jo Matibag – Commission of Asian and Pacific Islander Affairs

Rebecca Brockmann – Board of Barbering  
Daniel Butler – Board of Barbering  
Valerie Felton – Board of Barbering  
Terry Moll – Board of Barbering

Joseph Van Lent – Commission for the Blind

Dr. Jason Wall – Board of Chiropractic

John Murphy – Commission on Community Action Agencies  
Melissa Thompson – Commission on Community Action Agencies

Robert Thompson – Board of Cosmetology Arts and Sciences

Mary Ellen Kimball – Board of Trustees of the Iowa Cultural Trust  
Brandon Paulsen – Board of Trustees of the Iowa Cultural Trust  
Connie Schmett – Board of Trustees of the Iowa Cultural Trust

William Felderman – Commission of Deaf Services  
Christina Herrin – Commission of Deaf Services  
Jennifer Keaton – Commission of Deaf Services

Dr. Steven Bradley – Board of Dentistry  
Monica Foley – Board of Dentistry  
Thomas Jeneary – Board of Dentistry

Kyle Barnhart – Electrical Examining Board  
John Claeys – Electrical Examining Board

Kerry Dixon – Elevator Safety Board  
Peggy VandenBerg – Elevator Safety Board

Robert Fairfax – Engineering and Land Surveying Examining Board  
Eric Green – Engineering and Land Surveying Examining Board

Carole Tillotson – Iowa Ethics and Campaign Disclosure Board  
John Walsh – Iowa Ethics and Campaign Disclosure Board

Todd Mithelman – Interior Design Examining Board

Phyllis Peterson – Investment Board of the IPERS

Brenda Nelson – Landscape Architectural Examining Board

Mary Junge – Iowa Lottery Authority Board of Directors

Robin Markus – Board of Massage Therapy

Kimberly Doehrmann – Board of Mortuary Science  
Carl Linge – Board of Mortuary Science

Timothy Perkins – Commission of Native American Affairs

Nancy Kramer – Board of Nursing  
Mark Odden – Board of Nursing

Karol Dammann – Board of Nursing Home Administrators  
Effie Hill – Board of Nursing Home Administrators  
Lanny Ward – Board of Nursing Home Administrators

Dr. Thomas Hayden – Board of Optometry  
Tamie Stahl – Board of Optometry

Chris Mayer – Peace Officers' Retirement, Accident, and Disability System Trustee

Kay Jessen – Board of Pharmacy  
Sharon Meyer – Board of Pharmacy

Stephanie Kelsick – Board of Physical and Occupational Therapy  
Jeremy Kuhn – Board of Physical and Occupational Therapy  
Holly Little – Board of Physical and Occupational Therapy

Dr. Earl Kilgore – Board of Psychology

Richard Arnold – State Racing and Gaming Commission

Dennis Stolk – Real Estate Commission

Brandon Butters – Board of Respiratory Care

Amy Courneya – Board of Social Work  
Jody Weigel – Board of Social Work

Diana Hanson – Board of Speech Pathology and Audiology

Jacqueline Pullen – Technology Advisory Council

Jacob Anderson – Vision Iowa Board  
Eric Bookmeyer – Vision Iowa Board

Sean Bagniewski – Commission on the Status of Women  
Elizabeth Coonan – Commission on the Status of Women  
David Gudenkauf – Commission on the Status of Women

#### **VETERANS AFFAIRS**

Dan Gannon – Commission of Veterans Affairs  
Gary Wattnem – Commission of Veterans Affairs

#### **GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

#### **LABOR AND BUSINESS RELATIONS**

Mary Gannon – Public Employment Relations Board  
James Van Fossen – Public Employment Relations Board

**STATE GOVERNMENT**

Robert S. von Wolfradt – Chief Information Officer

Donna Mueller – Chief Executive Officer of the IPERS

**GOVERNOR'S APPOINTEE PLACED ON  
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar without recommendation for confirmation:

**HUMAN RESOURCES**

Dr. Mariannette Miller-Meeks – Healthy and Well Kids in Iowa (HAWK-I) Board

**AMENDMENTS FILED**

S-5100	S.F.	503	House
S-5101	S.F.	2233	House

# JOURNAL OF THE SENATE

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SEVENTY-FOURTH CALENDAR DAY  
FORTY-FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, March 24, 2016

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

Prayer was offered by Reverend Douglas Van Der Pol, pastor of the Bethel Christian Reformed Church in Oskaloosa, Iowa. He was the guest of Senator Rozenboom.

## PLEDGE OF ALLEGIANCE

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

The Journal of Wednesday, March 23, 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 March 23, 2016, **adopted** the conference committee report **and passed Senate File 174**, a bill for an act establishing the state percent of growth.

ALSO: That the House has on March 23, 2016, **adopted** the conference committee report **and passed Senate File 175**, a bill for an act establishing the categorical state percent of growth.

ALSO: That the House has on March 23, 2016, **passed** the following bills in which the concurrence of the House was asked:

**Senate File 2196**, a bill for an act relating to reading and literacy requirements for practitioner preparation programs.

**Senate File 2218**, a bill for an act relating to the possession and administration of emergency drugs by first responders and other persons in a position to assist for purposes of treating drug overdose victims and including contingent implementation provisions.

ALSO: That the House has on March 23, 2016, **amended and passed** the following bills in which the concurrence of the Senate is asked:

**Senate File 453**, a bill for an act relating to the board of pharmacy, including nonresident pharmacy and outsourcing facility licensure, pharmacist supervision of pharmacy technicians, alternate board members, and enforcement authority. (S-5102)

**Senate File 2205**, a bill for an act relating to varsity interscholastic athletic contests and athletic competitions eligibility limitations for pupils who participate in open enrollment, and including effective date and retroactive applicability provisions. (S-5103)

ALSO: That the House has on March 23, 2016, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

**House File 228**, a bill for an act relating to transitional coaching authorizations issued by the board of educational examiners and making penalties applicable.

**House File 588**, a bill for an act relating to the issuance of persons with disabilities removable windshield parking placards, and including effective date and applicability provisions.

**House File 617**, a bill for an act providing for special vehicle registration plates displaying a decal designed and issued by a nonprofit organization, providing fees, making a penalty applicable, and including effective date provisions.

**House File 2283**, a bill for an act relating to carrying a firearm while operating or riding on a snowmobile or an all-terrain vehicle.

**House File 2363**, a bill for an act relating to member attendance and confidentiality at a closed session of a governmental body and providing penalties.



**House File 2370**, a bill for an act relating to exemptions from registration of postsecondary schools by the college student aid commission.

ALSO: That the House has on March 23, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2439**, a bill for an act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council.

Read first time and referred to committee on **Appropriations**.

**House File 2437**, 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 and referred to committee on **Transportation**.

#### INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced San Wong, the governor's appointee to be the Director of the Department of Human Rights. He was the guest of Senators Bowman and Kapucian and the committee on State Government.

#### ADJOURNMENT

On motion of Senator Bolkcom, the Senate adjourned at 9:16 a.m. until 1:00 p.m., Friday, March 25, 2016.

## APPENDIX

### REPORT OF COMMITTEE MEETING

#### TRANSPORTATION

**Convened:** Thursday, March 24, 2016, 10:45 a.m.

**Members Present:** Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Danielson, Horn, and Quirmbach.

**Members Absent:** Breitbach, Dearden, Feenstra, Kraayenbrink, McCoy, and Smith (all excused).

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

**Adjourned:** 10:50 a.m.

#### INTRODUCTION OF RESOLUTION

**Senate Resolution 110**, by Danielson, Hogg, Kapucian, and Anderson, a Resolution supporting the federal Renewable Fuel Standard through 2022.

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

#### 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:

#### ECONOMIC GROWTH

Lyle Borg – Agricultural Development Board

Gordon Neumann – Iowa Capital Investment Board

Barbara Determan – Iowa Great Places Board

Greg Fisher – Iowa Great Places Board

Emily Meyer – Iowa Great Places Board

#### AMENDMENTS FILED

S-5102	S.F.	453	House
S-5103	S.F.	2205	House

# JOURNAL OF THE SENATE

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SEVENTY-FIFTH CALENDAR DAY  
FORTY-FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, March 25, 2016

The Senate met in regular session at 1:00 p.m., Senator Bisignano presiding.

The Journal of Thursday, March 24, 2016, was approved.

## ADJOURNMENT

On motion of Senator Petersen, the Senate adjourned at 1:01 p.m. until 10:00 a.m., Tuesday, March 29, 2016.

## APPENDIX

### COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### DEPARTMENT OF EDUCATION

2016 Assessment Task Force Report—Science (addendum), pursuant to Iowa Code section 256.7. Report received on March 25, 2016.

### BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 24, 2016, the Governor approved and transmitted to the Secretary of State the following bill:

**Senate File 2159** – Relating to public health including public health modernization and boards of health.

# JOURNAL OF THE SENATE

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SEVENTY-NINTH CALENDAR DAY  
FORTY-SIXTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, March 29, 2016

The Senate met in regular session at 1:09 p.m., President Jochum presiding.

Prayer was offered by Pastor Dave Yonker of First Christian Church in Burlington, Iowa. He was the guest of Senator Courtney.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Cade Olmstead.

The Journal of Friday, March 25, 2016, was approved.

## INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Paul Trombino III, the governor's appointee to be the Director of Transportation. He was the guest of Senators Bowman and Kapucian and the committee on Transportation.

## 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 March 28, 2016, **adopted** the following resolution in which the concurrence of the House was asked:

**Senate Joint Resolution 2006**, a joint resolution nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions.

ALSO: That the House has on March 28, 2016, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 2300**, a bill for an act relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions.

ALSO: That the House has on March 28, 2016, **concurred and passed** the following bills in which the concurrence of the House was asked:

**House File 2345**, a bill for an act requiring annual reports by county engineers and the department of transportation on the use of road use tax fund moneys to replace or repair structurally deficient bridges under county jurisdiction.

**House File 2385**, a bill for an act relating to littering and illegal dumping and modifying penalties.

ALSO: That the House has on March 28, 2016, **amended and passed** the following bills in which the concurrence of the Senate is asked:

**Senate File 2273**, a bill for an act relating to licensure of home food establishments by raising the ceiling on gross annual sales for a home food establishment. (S-5105)

**Senate File 2228**, a bill for an act relating to the activities of motor vehicle dealers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the furnishing of surety bonds, and the assessment of documentary fees, and making a penalty applicable. (S-5104)

#### SPECIAL GUESTS

Senator Rozenboom introduced to the Senate chamber Queen Maria Bandstra and representatives from Pella's Eighty-first Annual Tulip Time Festival. Queen Bandstra invited the Senate chamber to attend the Tulip Time Festival in Pella on May 5, 6, and 7, 2016.

The Senate rose and expressed its welcome.

Queen Bandstra and her court appeared before the rostrum. Queen Bandstra introduced the following members of her court: Elyse Parisee, Taylor Bolt, Anne Williamson, and Shanae Burch-De Haan.

The Queen, her attendants, and their parents distributed pastries to the senators and staff.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:27 p.m. until 9:00 a.m., Wednesday, March 30, 2016.

## APPENDIX

### CERTIFICATES OF RECOGNITION

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

Frances Baumhover, Atlantic—For celebrating her 100<sup>th</sup> birthday. Senator Shipley.

Janet Burke, Atlantic—For celebrating her 100<sup>th</sup> birthday. Senator Shipley.

Nei Aira Burt, Waterloo—For being named Iowa Youth of the Year for the Boys and Girls Club of Cedar Valley. Senator Dotzler.

Marc Mbofung, Ames—For being named Iowa Youth of the Year for the Boys and Girls Club of Story County. Senator Quirmbach.

KaVon McGowen, Des Moines—For being named Iowa's State Youth of the Year. Senator Bisignano.

Mason Robert Ransom Jones, Council Bluffs—For achieving the rank of Eagle Scout. Senator Gronstal.

Silos & Smokestacks National Heritage Area—For celebrating their 20<sup>th</sup> Anniversary and honoring them for their integral role in the advancement of agriculture. Senator Danielson.

Erma Thiessen, Atlantic—For celebrating her 101<sup>st</sup> birthday. Senator Shipley.

Lillian Wilcox, Atlantic—For celebrating her 105<sup>th</sup> birthday. Senator Shipley.

Kory Woodruff, Sioux City—For being named Iowa Youth of the Year for the Boys and Girls Club of Sioux City. Senator Anderson.

## REPORTS OF COMMITTEE MEETINGS

## JUDICIARY

**Convened:** Tuesday, March 29, 2016, 1:30 p.m.

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

**Members Absent:** None.

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

**Adjourned:** 1:35 p.m.

## STATE GOVERNMENT

**Convened:** Tuesday, March 29, 2016, 2:35 p.m.

**Members Present:** Danielson, Chair; Courtney, Vice Chair; Bowman, Dearden, Dvorsky, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver.

**Members Absent:** Bertrand, Ranking Member; Chapman, and Feenstra (all excused).

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

**Adjourned:** 3:05 p.m.

## TRANSPORTATION

**Convened:** Tuesday, March 29, 2016, 3:00 p.m.

**Members Present:** Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbach, Danielson, Dearden, Horn, Kraayenbrink, McCoy, Quirmbach, and Smith.

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

**Committee Business:** Governor's appointees. Passed HF 2437.

**Adjourned:** 3:10 p.m.

## FINAL COMMITTEE REPORT OF BILL ACTION

## TRANSPORTATION

**Bill Title:** HOUSE FILE 2437, a bill for an act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Bowman, Dvorsky, Kapucian, Brase, Breitbart, Danielson, Dearden, Horn, Kraayenbrink, McCoy, Quirmbach, and Smith. Nays, none. Absent, 1: Feenstra.

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

## REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2162, the following corrections were made:

1. Renumbering: With the addition of new subsection 3, the original subsections 3, 4, and 5 become subsections 4, 5, and 6.

MICHAEL E. MARSHALL  
Secretary of the Senate

## PETITION

The following petition was presented and placed on file:

From 136 Iowa residents petitioning to keep handguns out of the hands of children under 14 years of age. Senator Jochum.

## 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:

### AGRICULTURE

Monica Bieri – Iowa Grain Indemnity Fund Board  
Curtis Sindergard – Iowa Grain Indemnity Fund Board  
Dennis Carlson – State Soil Conservation Committee

### JUDICIARY

David Lorenzen – Iowa Drug Policy Advisory Council  
Christina Wilson – Iowa Drug Policy Advisory Council  
Regina Clemens – Iowa Law Enforcement Academy Council  
Michael Tupper – Iowa Law Enforcement Academy Council  
Susan Lerdal – Board of Parole



**STATE GOVERNMENT**

John Pauli – Alcoholic Beverages Commission

Michael B. Ballard – Commission of Deaf Services

David Guthrie – Electrical Examining Board

Emily Naylor – Landscape Architectural Examining Board

Diane Cortese – Board of Medicine

Dr. Ronald Kolegraff – Board of Medicine

KellyAnn Light-McGroary – Board of Medicine

Melissa Gentry – Board of Physician Assistants

Thomas Green – Board of Physician Assistants

Susan Koehler – Board of Physician Assistants

Robert Felderman – Real Estate Appraiser Examining Board

Vernon (Fred) Greder – Real Estate Appraiser Examining Board

Dewayne Rahe – Iowa Board of Veterinary Medicine

**GOVERNOR'S APPOINTEES PLACED ON  
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

**JUDICIARY**

Helen Sinclair – State Judicial Nominating Commission

Steve Sukup – State Judicial Nominating Commission

Dr. Christina Taylor – State Judicial Nominating Commission

**TRANSPORTATION**

Paul Trombino III – Director of Transportation

Kathleen Fehrman – State Transportation Commission

Charese Yanney – State Transportation Commission

**GOVERNOR'S APPOINTEE PLACED ON  
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar without recommendation for confirmation:

**STATE GOVERNMENT**

San Wong – Director of the Department of Human Rights

**WITHDRAWAL OF  
GOVERNOR'S APPOINTEE**

The following letter from the Governor was received in the office of the Secretary of the Senate on March 29, 2016:

I am withdrawing the name of Lindsey Nielsen to serve as a member of the Board of Behavioral Science from further consideration by the Senate.

Sincerely,  
TERRY E. BRANSTAD  
Governor

**AMENDMENTS FILED**

S-5104	S.F.	2228	House
S-5105	S.F.	2273	House

# JOURNAL OF THE SENATE

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EIGHTIETH CALENDAR DAY  
FORTY-SEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, March 30, 2016

The Senate met in regular session at 9:05 a.m., President Jochum presiding.

Prayer was offered by Pastor Kent Hillesland of the Community Chapel in Lakota, 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 Tuesday, March 29, 2016, was approved.

## HERBERT HOOVER UNCOMMON PUBLIC SERVICE AWARD

Senator Johnson introduced to the Senate chamber members from the Hoover Presidential Foundation; Executive Director of the Hoover Presidential Foundation in West Branch, Jerry Fleagle; Hoover Trustee and former Regent, Bob Downer of Iowa City; and Hoover Presidential Foundation Communications Manager, Brad Reiners.

The Senate rose and expressed its welcome.

President Jochum announced the 2016 Herbert Hoover Uncommon Public Service Award Recipient, Senator Tim L. Kapucian.

Senator Kapucian addressed the Senate with brief remarks.

The Senate rose and expressed its congratulations.

## 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 March 29, 2016, **adopted** the following resolution in which the concurrence of the House was asked:

**Senate Joint Resolution 2007**, a joint resolution nullifying administrative rules increasing fees assessed by the board of educational examiners and including effective date provisions.

ALSO: That the House has on March 29, 2016, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

**House File 2341**, a bill for an act relating to the operation of certain schools under the purview of the college student aid commission.

ALSO: That the House has on March 29, 2016, **amended and passed** the following bill in which the concurrence of the House was asked:

**Senate File 2185**, 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. (S-5106)

## SPECIAL GUEST

President Jochum introduced to the Senate chamber the Honorable Nancy J. Boettger, former member of the Senate from Shelby County, Harlan, Iowa.

The Senate rose and expressed its welcome.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 9:31 a.m. until 4:00 p.m.

## RECONVENED

The Senate reconvened at 4:46 p.m., President Jochum presiding.

## ADJOURNMENT

On motion of Senator Dotzler, the Senate adjourned at 4:47 p.m. until 9:00 a.m., Thursday, March 31, 2016.

## APPENDIX

### COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### DEPARTMENT OF NATURAL RESOURCES

Federal Air Quality Standards Report, pursuant to Iowa Code section 455B.134(14). Report received on March 30, 2016.

### CERTIFICATES OF RECOGNITION

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

Carol and Ronald Bliss, Andrew—For celebrating their 50<sup>th</sup> wedding anniversary. Senator Bowman.

Benjamin Clausen, Preston—For achieving the rank of Eagle Scout, Troop #83. Senator Bowman.

Lillian and Edward Trenkamp, Preston—For celebrating their 70<sup>th</sup> wedding anniversary. Senator Bowman.

### REPORT OF COMMITTEE MEETING

#### STATE GOVERNMENT

**Convened:** Wednesday, March 30, 2016, 11:05 a.m.

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

**Reconvened:** 11:15 a.m.

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

**Members Absent:** Bertrand, Ranking Member (excused).

**Committee Business:** Passed HF 2429.

## INTRODUCTION OF RESOLUTION

**Senate Resolution 111**, by Kraayenbrink, Segebart, Behn, and Guth, a resolution recognizing and congratulating the Iowa Central Community College men's and women's track, women's soccer, and men's cross country teams and programs on their outstanding athletic accomplishments.

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

## STUDY BILL RECEIVED

### **SSB 3179      Ways and Means**

Relating to combined charitable campaign programs administered by certain public employers.

## SUBCOMMITTEE ASSIGNMENTS

### **House File 2432**

APPROPRIATIONS: Courtney, Chair; Chapman and Dvorsky

### **House File 2436**

WAYS AND MEANS: McCoy, Chair; Allen and Schultz

### **SSB 3179**

WAYS AND MEANS: Petersen, Chair; Bolkom and Breitbach

## FINAL COMMITTEE REPORT OF BILL ACTION

### **STATE GOVERNMENT**

**Bill Title:** HOUSE FILE 2429, a bill for an act concerning gambling game licensure fees, and including penalty and applicability provisions.

**Recommendation:** DO PASS.

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

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

## BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 30th day of March, 2016.

Senate Files 2115, 2231, 2234, and 2279.

MICHAEL E. MARSHALL  
Secretary of the Senate

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 30, 2016, the Governor approved and transmitted to the Secretary of State the following bills:

**Senate File 2115** – Creating the criminal offense of interference with official acts against a jailer, and providing penalties.

**Senate File 2231** – Relating to disaster aid payment authorization requirements under specified circumstances.

**Senate File 2234** – Relating to the credit hours of educational assistance under the national guard educational assistance program.

**Senate File 2279** – Relating to the credit union division and its regulatory matters.

## PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Ken Sagar to Iowa Workforce Development Board be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

JAKE CHAPMAN

## AMENDMENT FILED

S-5106      S.F.      2185      House

# JOURNAL OF THE SENATE

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EIGHTY-FIRST CALENDAR DAY  
FORTY-EIGHTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, March 31, 2016

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

The Senate observed a moment of silence honoring Senate Doorkeeper Bob Langbehn's life and service.

## PLEDGE OF ALLEGIANCE

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

The Journal of Wednesday, March 30, 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 March 30, 2016, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 2116**, a bill for an act adding substances to schedule I of the controlled substance schedules, and providing penalties.

ALSO: That the House has on March 30, 2016, **amended and passed** the following bills in which the concurrence of the Senate is asked:

**Senate File 2109**, a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions. (S-5107)



**Senate File 2219**, a bill for an act requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions. (S-5108)

ALSO: That the House has on March 30, 2016, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2442**, a bill for an act eliminating a requirement that taxpayers indicate on their tax returns the presence or absence of health care coverage for their dependent children and apply for certain public health care coverage, and including effective date and retroactive applicability provisions.

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

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:05 a.m. until 1:00 p.m., Monday, April 4, 2016.

## APPENDIX

### CERTIFICATE OF RECOGNITION

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

James Andrew Casad, Davenport—For achieving the rank of Eagle Scout, Troop #26. Senator Smith.

### REPORTS OF COMMITTEE MEETINGS

#### HUMAN RESOURCES

**Convened:** Wednesday, March 30, 2016, 3:05 p.m.

**Members Present:** Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Chelgren, Costello, Dotzler, Garrett, Jochum, Segebart, and Taylor.

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

**Committee Business:** Discussion.

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

**WAYS AND MEANS**

**Convened:** Thursday, March 31, 2016, 11:05 a.m.

**Members Present:** Bolkcom, Chair; Allen, Vice Chair; Feenstra, Ranking Member; Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, and Smith.

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

**Committee Business:** Organizational meeting.

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

**INTRODUCTION OF BILL**

**Senate File 2307**, by committee on Appropriations, a bill for an act 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, providing for appropriations, and including effective date provisions.

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

**STUDY BILL RECEIVED****SSB 3180      Ways and Means**

Relating to the collocation of small wireless facilities and small wireless facility networks.

**SUBCOMMITTEE ASSIGNMENT****SSB 3180**

WAYS AND MEANS: Petersen, Chair; Allen and Anderson

**FINAL COMMITTEE REPORT OF BILL ACTION****APPROPRIATIONS**

**Bill Title:** \*SENATE FILE 2307 (SSB 3138), a bill for an act 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, providing for appropriations, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 1: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schoenjahn, Segebart, and Zumbach. Nays, 3: Chapman, Garrett, and Schneider. Absent, 1: Wilhelm.

**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 2307, and they were attached to the committee report.

#### AMENDMENTS FILED

S-5107	S.F.	2109	House
S-5108	S.F.	2219	House

# **JOURNAL OF THE SENATE**

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EIGHTY-FIFTH CALENDAR DAY  
FORTY-NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, April 4, 2016

The Senate met in regular session at 1:03 p.m., President Jochum presiding.

The Journal of Thursday, March 31, 2016, was approved.

## **ADJOURNMENT**

On motion of Senator Gronstal, the Senate adjourned at 1:04 p.m. until 1:00 p.m., Tuesday, April 5, 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:

#### **OFFICE OF OMBUDSMAN**

Annual Report, pursuant to Iowa Code section 2C.18. Report received on April 4, 2016.

#### **BOARD OF REGENTS**

Center for Health Effects of Environmental Contamination Annual Report, pursuant to Iowa Code section 263.17(4)(b). Report received on April 4, 2016.

Monthly Financial Reports for February 2016, pursuant to 2013 Iowa Acts, Chapter 141, section 27. Report received on April 4, 2016.

## DEPARTMENT OF REVENUE

Retailer Motor Fuel Gallons Annual Report, pursuant to Iowa Code section 452A.33. Report received on April 4, 2016.

## INTRODUCTION OF BILL

**Senate File 2308**, by committee on Appropriations, a bill for an act relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, making appropriations, and including transition provisions.

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

## FINAL COMMITTEE REPORT OF BILL ACTION

## APPROPRIATIONS

**Bill Title:** \*SENATE FILE 2308 (formerly SF 2280), a bill for an act relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, making appropriations, and including transition provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 18: Dvorsky, Danielson, Chapman, Bisignano, Bolkom, Brase, Courtney, Dotzler, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Schneider, Schoenjahn, Segebart, and Zumbach. Nays, 2: Garrett and Rozenboom. Absent, 1: Wilhelm.

**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 2308, and they were attached to the committee report.

**BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR**

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 4th day of April, 2016.

Senate Files 174, 175, 378, 2022, 2059, 2102, 2110, 2111, 2144, 2147, 2162, 2164, 2191, 2194, 2196, 2214, 2218, 2242, 2258, 2276, and 2300.

MICHAEL E. MARSHALL  
Secretary of the Senate

**AMENDMENT FILED**

S-5109      S.F.      2291      Chaz Allen

# JOURNAL OF THE SENATE

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EIGHTY-SIXTH CALENDAR DAY  
FIFTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, April 5, 2016

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

Prayer was sung by Margaret Guth, wife and secretary of the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kasey Springsteen.

The Journal of Monday, April 4, 2016, was approved.

## HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 4, 2016, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2445**, a bill for an act excluding certain promotional play receipts from the definition of adjusted gross receipts for purposes of the wagering tax on gambling games and relating to other matters involving gambling games regulation.

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

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:14 p.m. until 9:00 a.m., Wednesday, April 6, 2016.

## APPENDIX

### CERTIFICATES OF RECOGNITION

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

Nicholas Fallis, Mason City—For achieving the rank of Eagle Scout, Troop #1401. Senator Ragan.

Iowa Central Community College Athletics—For their 2015 national championship in men's cross country. Senator Kraayenbrink.

Iowa Central Community College Athletics—For their 2015 national championship in men's and women's indoor track. Senator Kraayenbrink.

Iowa Central Community College Athletics—For their 2015 national championship in women's soccer. Senator Kraayenbrink.

Alfred Nellor, Burlington—For celebrating his 96<sup>th</sup> birthday. Senator Courtney.

Major Watkins, Yarmouth—For celebrating his 100<sup>th</sup> birthday. Senator Courtney.

### FINAL COMMITTEE REPORTS OF BILL ACTION

#### RULES AND ADMINISTRATION

**Bill Title:** SENATE RESOLUTION 109, a resolution commemorating April 6, 2016, as the 25th anniversary of the conclusion of Operation Desert Shield/Desert Storm.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Gronstal, Jochum, Courtney, Dearden, Dvorsky, Guth, Ragan, Soddors, and Whitver. Nays, none. Absent, 2: Dix and Chapman.

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

#### ALSO:

**Bill Title:** SENATE RESOLUTION 111, a resolution recognizing and congratulating the Iowa Central Community College men's and women's track, women's soccer, and men's cross country teams and programs on their outstanding athletic accomplishments.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Gronstal, Jochum, Courtney, Dearden, Dvorsky, Guth, Ragan, Soddors, and Whitver. Nays, none. Absent, 2: Dix and Chapman.

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



**MOTION TO RECONSIDER FILED**

MADAM PRESIDENT, I move to reconsider the vote by which amendment S-5044 to Senate File 2188 was adopted by the Senate on March 1, 2016.

JOE BOLKCOM

**AMENDMENTS FILED**

S-5110	S.F.	453	William A. Dotzler, Jr.
S-5111	S.F.	2188	Joe Bolkcom David Johnson Robert E. Dvorsky
S-5112	S.F.	2061	Tony Bisignano

# JOURNAL OF THE SENATE

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EIGHTY-SEVENTH CALENDAR DAY  
FIFTY-FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, April 6, 2016

The Senate met in regular session at 9:07 a.m., President Jochum presiding.

Prayer was offered by Pastor Shane McCampbell of the New Fellowship Christian Church in Burlington, Iowa; and the Major of Burlington. He was the guest of Senator Courtney.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Emily Turek.

The Journal of Tuesday, April 5, 2016, was approved.

## HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 5, 2016, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2448**, a bill for an act relating to the construction, erection, maintenance, operation, or sale of specified electric transmission lines, and including effective date and applicability provisions.

Read first time and referred to committee on **Government Oversight**.

## SPECIAL GUESTS

President Jochum introduced to the Senate chamber the Honorable Jean Hall Lloyd-Jones, former member of the Senate from Johnson County, Iowa City, Iowa; and the Honorable Maggie Tinsman, former member of the Senate from Scott County, Bettendorf, Iowa.

The Senate rose and expressed its welcome.

## CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 109.

### **Senate Resolution 109**

On motion of Senator Bisignano, **Senate Resolution 109**, a resolution commemorating April 6, 2016, as the 25th anniversary of the conclusion of Operation Desert Shield/Desert Storm, with report of committee recommending passage, was taken up for consideration.

Senator Bisignano moved the adoption of Senate Resolution 109, which motion prevailed by a voice vote.

The Senate stood at ease at 9:32 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:21 a.m., President Jochum presiding.

## HOUSE AMENDMENTS CONSIDERED

### **Senate File 503**

Senator Bolkcom called up for consideration **Senate File 503**, a bill for an act relating to certain fees collected by the county sheriff, amended by the House in House amendment S-5100, filed March 23, 2016.

Senator Quirnbach moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Quirmbach moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 503), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2061

Senator Bolkcom called up for consideration **Senate File 2061**, a bill for an act relating to the legal representation of indigent persons in criminal proceedings, amended by the House in House amendment S-5093, filed March 15, 2016.

Senator Bisignano offered amendment S-5112, filed by him on April 5, 2016, to page 1 and amending the title provisions of House amendment S-5093, and moved its adoption.

Amendment S-5112 to amendment S-5093 was adopted by a voice vote.

Senator Bisignano moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Bisignano moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2061), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, 1:

Chelgren

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### SPECIAL GUEST

President Jochum introduced to the Senate chamber the Honorable John Putney, former member of the Senate from Tama County, Gladbrook, Iowa.

The Senate rose and expressed its welcome.

## HOUSE AMENDMENTS CONSIDERED

**Senate File 2185**

Senator Bolkcom called up for consideration **Senate File 2185**, 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, amended by the House in House amendment S-5106, filed March 30, 2016.

Senator Kinney moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Kinney moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2185), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

## Senate File 2219

Senator Bolkcom called up for consideration **Senate File 2219**, a bill for an act requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions, amended by the House in House amendment S-5108, filed March 31, 2016.

Senator Danielson moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Danielson moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2219), the vote was:

Yeas, 36:

Allen	Danielson	Jochum	Ragan
Anderson	Dearden	Johnson	Schoenjahn
Bertrand	Dix	Kapucian	Segebart
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Kraayenbrink	Shipley
Bowman	Gronstal	Mathis	Smith
Brase	Hart	McCoy	Sodders
Breitbach	Hogg	Petersen	Wilhelm
Courtney	Horn	Quirmbach	Zumbach

Nays, 14:

Behn	Feenstra	Schneider	Whitver
Chapman	Garrett	Schultz	Zaun
Chelgren	Guth	Sinclair	
Costello	Rozenboom	Taylor	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2228

Senator Bolkcom called up for consideration **Senate File 2228**, a bill for an act relating to the activities of motor vehicle dealers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the furnishing of surety bonds, and the assessment of documentary fees, and making a penalty applicable, amended by the House in House amendment S-5104, filed March 29, 2016.

Senator Bowman moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Bowman moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2228), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.



## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 503, 2061, 2185, 2219, and 2228** be **immediately messaged** to the House.

## HOUSE AMENDMENTS CONSIDERED

**Senate File 2233**

Senator Gronstal called up for consideration **Senate File 2233**, a bill for an act creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty, amended by the House in House amendment S-5101, filed March 23, 2016.

Senator Soddors moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Soddors moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2233), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Soddors
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2260

Senator Gronstal called up for consideration **Senate File 2260**, a bill for an act relating to disclosure of ownership and control information for nonprofit corporations under the Medicaid program, amended by the House in House amendment S-5098, filed March 21, 2016.

Senator Taylor moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Taylor moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2260), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### SPECIAL GUEST

President Jochum introduced to the Senate chamber the Honorable H. Kay Hedge, former member of the Senate from Mahaska County, Fremont, Iowa.

The Senate rose and expressed its welcome.

### HOUSE AMENDMENT CONSIDERED

#### Senate File 2273

Senator Gronstal called up for consideration **Senate File 2273**, a bill for an act relating to licensure of home food establishments by raising the ceiling on gross annual sales for a home food establishment, amended by the House in House amendment S-5105, filed March 29, 2016.

Senator Bowman moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Bowman moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2273), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair

Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2062.

#### **Senate File 2062**

On motion of Senator Petersen, **Senate File 2062**, 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, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Petersen asked and received unanimous consent that **House File 2270** be **substituted** for **Senate File 2062**.

#### **House File 2270**

On motion of Senator Petersen, **House File 2270**, 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, was taken up for consideration.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2270), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### WITHDRAWN

Senator Petersen asked and received unanimous consent that **Senate File 2062** be **withdrawn** from further consideration of the Senate.

### IMMEDIATELY MESSAGED

Senator Bolkcom asked and received unanimous consent that **Senate Files 2233, 2260, and 2273** and **House File 2270** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Bolkcom asked and received unanimous consent to take up for consideration Senate Files 2169 and 2184.

## Senate File 2169

On motion of Senator Danielson, **Senate File 2169**, a bill for an act concerning veterans preference information, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Danielson offered amendment S-5050, filed by him on March 2, 2016, to page 1 of the bill, and moved its adoption.

Amendment S-5050 was adopted by a voice vote.

Senator Danielson asked and received unanimous consent that **House File 2415** be **substituted** for **Senate File 2169**.

## House File 2415

On motion of Senator Danielson, **House File 2415**, a bill for an act concerning veterans preference information, was taken up for consideration.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2415), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	ShIPLEY
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## WITHDRAWN

Senator Danielson asked and received unanimous consent that **Senate File 2169** be **withdrawn** from further consideration of the Senate.

### Senate File 2184

On motion of Senator Hogg, **Senate File 2184**, 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, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Hogg asked and received unanimous consent that **House File 2335** be **substituted** for **Senate File 2184**.

### House File 2335

On motion of Senator Hogg, **House File 2335**, 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, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2335), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith

Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### WITHDRAWN

Senator Hogg asked and received unanimous consent that **Senate File 2184** be **withdrawn** from further consideration of the Senate.

### MOTION TO RECONSIDER ADOPTED

#### Senate File 2188

Senator Bolkcom called up the motion to reconsider the vote by which **Senate File 2188** failed to pass the Senate, filed by him on March 1, 2016, found on page 402 of the Senate Journal and placed on the Unfinished Business Calendar on March 10, 2016, and moved its adoption.

A record roll call was requested.

On the question "Shall the motion to reconsider Senate File 2188 be adopted?" the vote was:

Yeas, 31:

Allen	Dotzler	Johnson	Schultz
Bisignano	Dvorsky	Kraayenbrink	Segebart
Bolkcom	Feenstra	Mathis	Seng
Bowman	Gronstal	McCoy	Shipley
Brase	Hart	Petersen	Sodders
Costello	Hogg	Quirmbach	Taylor
Courtney	Horn	Ragan	Wilhelm
Dearden	Jochum	Schoenjahn	



Nays, 19:

Anderson	Chelgren	Kapucian	Smith
Behn	Danielson	Kinney	Whitver
Bertrand	Dix	Rozenboom	Zaun
Breitbach	Garrett	Schneider	Zumbach
Chapman	Guth	Sinclair	

Absent, none.

The motion prevailed and Senate File 2188 was taken up for reconsideration.

Senator Bolkcom called up the motion to reconsider the vote by which amendment S-5044 to Senate File 2188 was adopted by the Senate on March 1, 2016, filed by him on April 5, 2016, found on page 402 of the Senate Journal, and moved its adoption.

The motion prevailed by a voice vote and amendment S-5044, by Senators Bolkcom, Johnson, and Dvorsky, to pages 2, 3, 5, and 8 of the bill, was taken up for reconsideration.

Senator Bolkcom asked and received unanimous consent that action on amendment S-5044 be deferred.

Senator Bolkcom offered amendment S-5111, filed by Senators Bolkcom, Johnson, and Dvorsky on April 5, 2016, to pages 2, 3, and 8 of the bill, and moved its adoption.

Amendment S-5111 was adopted by a voice vote.

With the adoption of amendment S-5111, the Chair ruled amendment S-5044 out of order.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2188), the vote was:

Yeas, 28:

Allen	Dotzler	Kraayenbrink	Schultz
Bolkcom	Dvorsky	Mathis	Segebart
Bowman	Gronstal	McCoy	Seng

Brase	Hart	Petersen	Shipley
Costello	Hogg	Quirnbach	Sodders
Courtney	Jochum	Ragan	Taylor
Dearden	Johnson	Schoenjahn	Wilhelm

Nays, 22:

Anderson	Chelgren	Horn	Smith
Behn	Danielson	Kapucian	Whitver
Bertrand	Dix	Kinney	Zaun
Bisignano	Feenstra	Rozenboom	Zumbach
Breitbach	Garrett	Schneider	
Chapman	Guth	Sinclair	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Bolkcom asked and received unanimous consent to take up for consideration Senate File 2249.

#### **Senate File 2249**

On motion of Senator Hart, **Senate File 2249**, a bill for an act requiring that agreements to terminate farm tenancies be in writing, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Hart asked and received unanimous consent that **House File 2344** be **substituted** for **Senate File 2249**.

#### **House File 2344**

On motion of Senator Hart, **House File 2344**, a bill for an act requiring that agreements to terminate farm tenancies be in writing, was taken up for consideration.

Senator Hart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2344), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### WITHDRAWN

Senator Hart asked and received unanimous consent that **Senate File 2249** be **withdrawn** from further consideration of the Senate.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2188** and **House Files 2335, 2344, and 2415** be **immediately messaged** to the House.

### RECESS

On motion of Senator Gronstal, the Senate recessed at 12:39 p.m. until 1:30 p.m.

### RECONVENED

The Senate reconvened at 1:39 p.m., President Jochum presiding.

CONSIDERATION OF BILLS  
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2373 and 493 and Senate File 2291.

**House File 2373**

On motion of Senator Hogg, **House File 2373**, a bill for an act relating to the organization and administration of limited partnerships and limited liability companies doing business in Iowa, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hogg offered amendment S-5081, filed by the committee on Judiciary on March 10, 2016, to page 8 of the bill, and moved its adoption.

Amendment S-5081 was adopted by a voice vote.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2373), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## House File 493

On motion of Senator Hogg, **House File 493**, a bill for an act relating to the right of residents, owners, tenants, and landlords to summon emergency assistance and preempting related local ordinances, rules, and regulations, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hogg offered amendment S-5085, filed by the committee on Judiciary on March 14, 2016, striking and replacing everything after the enacting clause of the bill.

Senator Hogg offered amendment S-5115, filed by him from the floor to pages 3, 4, 6, and 7 of amendment S-5085, and moved its adoption.

Amendment S-5115 to amendment S-5085 was adopted by a voice vote.

Senator Hogg moved the adoption of amendment S-5085, as amended.

Amendment S-5085, as amended, was adopted by a voice vote.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 493), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun

Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### **Senate File 2291**

On motion of Senator Allen, **Senate File 2291**, a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties and applicability dates, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **Senate File 2291** be **deferred**.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 493** and **2373** be **immediately messaged** to the House.

### CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2399.

### **House File 2399**

On motion of Senator Sodders, **House File 2399**, a bill for an act relating to domestic abuse and other offenses involving a domestic relationship, and providing penalties, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sodders offered amendment S-5084, filed by the committee on Judiciary on March 14, 2016, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Sodders offered amendment S-5113, filed by him from the floor to pages 1-4 of amendment S-5084, and moved its adoption.

Amendment S-5113 to amendment S-5084 was adopted by a voice vote.

Senator Sodders moved the adoption of amendment S-5084, as amended.

Amendment S-5084, as amended, was adopted by a voice vote.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2399), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2399** be **immediately messaged** to the House.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2437 and 2429.

**House File 2437**

On motion of Senator Bowman, **House File 2437**, a bill for an act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2437), the vote was:

Yeas, 48:

Allen	Courtney	Horn	Schoenjahn
Anderson	Danielson	Jochum	Schultz
Behn	Dearden	Kapucian	Seng
Bertrand	Dix	Kinney	Shiple
Bisignano	Dotzler	Kraayenbrink	Sinclair
Bolkcom	Dvorsky	Mathis	Smith
Bowman	Feenstra	McCoy	Sodders
Brase	Garrett	Petersen	Taylor
Breitbach	Gronstal	Quirnbach	Whitver
Chapman	Guth	Ragan	Wilhelm
Chelgren	Hart	Rozenboom	Zaun
Costello	Hogg	Schneider	Zumbach

Nays, 2:

Johnson	Segebart
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Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.



## House File 2429

On motion of Senator Danielson, **House File 2429**, a bill for an act concerning gambling game licensure fees, and including penalty and applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2429), the vote was:

Yeas, 42:

Allen	Danielson	Kinney	Shipley
Anderson	Dearden	Kraayenbrink	Sinclair
Bertrand	Dix	Mathis	Smith
Bisignano	Dotzler	McCoy	Sodders
Bolkcom	Dvorsky	Petersen	Taylor
Bowman	Gronstal	Ragan	Whitver
Brase	Hart	Schneider	Wilhelm
Breitbach	Hogg	Schoenjahn	Zaun
Chapman	Horn	Schultz	Zumbach
Chelgren	Jochum	Segebart	
Courtney	Kapucian	Seng	

Nays, 8:

Behn	Feenstra	Guth	Quirmbach
Costello	Garrett	Johnson	Rozenboom

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2306.

## Senate File 2306

On motion of Senator Petersen, **Senate File 2306**, a bill for an act establishing the facilitating business rapid response to state-declared disasters Act, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Petersen offered amendment S-5114, filed by her from the floor to pages 3, 5, and 6 of the bill, and moved its adoption.

Amendment S-5114 was adopted by a voice vote.

Senator Petersen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2306), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2308.

## Senate File 2308

On motion of Senator Dotzler, **Senate File 2308**, a bill for an act relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, making appropriations, and including transition provisions, was taken up for consideration.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2308), the vote was:

Yeas, 34:

Allen	Dix	Kapucian	Seng
Anderson	Dotzler	Kraayenbrink	Shiple
Bertrand	Dvorsky	Mathis	Sodders
Bolkcom	Gronstal	McCoy	Taylor
Brase	Hart	Quirmbach	Wilhelm
Chapman	Hogg	Ragan	Zaun
Chelgren	Horn	Schneider	Zumbach
Courtney	Jochum	Schoenjahn	
Danielson	Johnson	Segebart	

Nays, 16:

Behn	Costello	Guth	Schultz
Bisignano	Dearden	Kinney	Sinclair
Bowman	Feenstra	Petersen	Smith
Breitbach	Garrett	Rozenboom	Whitver

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2306** and **2308** and **House Files 2429** and **2437** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:00 p.m. until 9:00 a.m., Thursday, April 7, 2016.

## APPENDIX

### REPORT OF COMMITTEE MEETING

#### WAYS AND MEANS

**Convened:** Wednesday, April 6, 2016, 1:25 p.m.

**Members Present:** Bolkcom, Chair; Allen, Vice Chair; Feenstra, Ranking Member; Anderson, Behn, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith.

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

**Committee Business:** Passed SF 2223.

**Adjourned:** 1:30 p.m.

### STUDY BILL RECEIVED

#### **SSB 3181      Ways and Means**

Relating to fantasy sports contests, providing for a tax, making an appropriation, making penalties applicable, and including implementation provisions.

### SUBCOMMITTEE ASSIGNMENTS

#### **House File 2442**

WAYS AND MEANS: Bolkcom, Chair; Petersen and Smith

#### **House File 2445**

WAYS AND MEANS: Allen, Chair; Behn and Dotzler

#### **SSB 3181**

WAYS AND MEANS: Dotzler, Chair; Allen and Breitbach

### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 6, 2016, the Governor approved and transmitted to the Secretary of State the following bills:

**Senate File 174** – Establishing the state percent of growth.

**Senate File 175** – Establishing the categorical state percent of growth.

**Senate File 378** – Relating to reimbursement of defense costs of peace officers and corrections officers.

**Senate File 2022** – Relating to criminal jurisdiction on the Sac and Fox Indian settlement.

**Senate File 2059** – 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.

**Senate File 2102** – Relating to access to the information program for drug prescribing and dispensing administered by the board of pharmacy.

**Senate File 2110** – Relating to persons examining and obtaining their own criminal history data.

**Senate File 2111** – Providing that certain peace officers and law enforcement officials are not required to use a notarial stamp when administering oaths or acknowledging signatures.

**Senate File 2144** – Relating to the disclosure of behavioral health information for the purpose of patient care coordination, and including effective date provisions.

**Senate File 2147** – 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.

**Senate File 2162** – Providing for the use of an electronic filing system for administrative proceedings by the administrative hearings division of the department of inspections and appeals.

**Senate File 2164** – Relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered, and including applicability provisions.

**Senate File 2194** – Concerning administrative law judges appointed or employed by the public employment relations board.

**Senate File 2214** – Relating to the dispensing of additional quantities of a prescription within the limitations of the prescription.

**Senate File 2218** – Relating to the possession and administration of emergency drugs by first responders and other persons in a position to assist for purposes of treating drug overdose victims and including contingent implementation provisions.

**Senate File 2242** – Relating to the administration of city elections by permitting the county commissioner of elections to designate a city clerk to receive city candidate filings.

**Senate File 2258** – Concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims.

**Senate File 2276** – Relating to the standards for land surveying, including requirements for recorded document formatting, monument preservation certificates, and retracement plats of survey.

#### AMENDMENTS FILED

S-5113	H.F.	2399	Steven J. Sadders
S-5114	S.F.	2306	Janet Petersen
S-5115	H.F.	493	Robert M. Hogg

# JOURNAL OF THE SENATE

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EIGHTY-EIGHTH CALENDAR DAY  
FIFTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, April 7, 2016

The Senate met in regular session at 9:09 a.m., President Jochum presiding.

Prayer was offered by Pastor Mario Lara of Life Bridge Church in Des Moines, Iowa. He was the guest of Senator Garrett.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Philip Kiely.

The Journal of Wednesday, April 6, 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 April 6, 2016, **amended and passed** the following bill in which the concurrence of the Senate is asked:

**Senate File 2259**, a bill for an act concerning treatment of a person with a serious mental impairment who fails to comply with an outpatient treatment order. (S-5116)

ALSO: That the House has on April 6, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2443**, a bill for an act relating to the programs and duties of the economic development authority by making changes relative to the use of life cycle cost analyses, by making technical changes related to the high quality jobs program, by making changes relative to authority assistance for certain federal small business programs, by allowing counties, cities, and the authority to amend certain economic development enterprise zones agreements, and by making changes to the historic preservation and cultural and entertainment district tax credit, including transferring administrative oversight of the tax credit from the department of cultural affairs to the economic development authority, and including effective date provisions.

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

**House File 2449**, a bill for an act concerning the implementation and administration of Acts of the general assembly through administrative rulemakings and including effective date and applicability provisions.

Read first time and referred to committee on **Government Oversight**.

#### CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 111.

#### **Senate Resolution 111**

On motion of Senator Kraayenbrink, **Senate Resolution 111**, a resolution recognizing and congratulating the Iowa Central Community College men's and women's track, women's soccer, and men's cross country teams and programs on their outstanding athletic accomplishments, with report of committee recommending passage, was taken up for consideration.



Senator Kraayenbrink moved the adoption of Senate Resolution 111, which motion prevailed by a voice vote.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:23 a.m. until 1:00 p.m., Monday, April 11, 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:

#### BOARD OF EDUCATION

Core Curriculum Report, pursuant to Iowa Code section 256.9(54). Report received on April 7, 2016.

#### IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD

FY 2016 Quarter 3 Progress and Activities Report, pursuant to Iowa Code section 455G.4(6). Report received on April 7, 2016.

### CERTIFICATE OF RECOGNITION

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

Richard Hunsaker, Carroll—For 10 years of service to the state as an appointed member of the Alcoholic Beverages Commission. Senator Segebart.

### INTRODUCTION OF BILL

**Senate File 2309**, by committee on Ways and Means, a bill for an act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date provisions.

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

## FINAL COMMITTEE REPORT OF BILL ACTION

## WAYS AND MEANS

**Bill Title:** \*SENATE FILE 2309 (formerly SF 2223), a bill for an act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Behn, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: Breitbach.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2309, and they were attached to the committee report.

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 6, 2016, the Governor approved and transmitted to the Secretary of State the following bill:

**Senate File 2300** – Relating to the administration of programs by the economic development authority by creating a renewable chemical production tax credit program, modifying the high quality jobs program, and including effective date and other applicability provisions.

**ALSO:** That on April 7, 2016, the Governor approved and transmitted to the Secretary of State the following bills:

**Senate File 2191** – Establishing an office within the department of public safety to oversee efforts to combat human trafficking.

**Senate File 2196** – Relating to reading and literacy requirements for practitioner preparation programs.

## AMENDMENT FILED

S-5116      S.F.      2259      House

# JOURNAL OF THE SENATE

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NINETY-SECOND CALENDAR DAY  
FIFTY-THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, April 11, 2016

The Senate met in regular session at 1:03 p.m., President Jochum presiding.

Prayer was offered by Pastor Eric Weaver of the First Baptist Church in Forest City, Iowa. He was the guest of Senator Guth.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Philip Kiely.

The Journal of Thursday, April 7, 2016, was approved.

The Senate stood at ease at 1:28 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:01 p.m., President Jochum presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Feenstra, until he arrives, on request of Senator Dix.

## HOUSE AMENDMENTS CONSIDERED

### **Senate File 453**

Senator Gronstal called up for consideration **Senate File 453**, a bill for an act relating to the board of pharmacy, including nonresident pharmacy and outsourcing facility licensure, pharmacist supervision of pharmacy technicians, alternate board members, and enforcement authority, amended by the House in House amendment S-5102, filed March 24, 2016.

Senator Dotzler withdrew amendment S-5110, filed by him on April 5, 2016, to page 2 of House amendment S-5102.

Senator Dotzler offered amendment S-5117, filed by him from the floor to page 2 of House amendment S-5102, and moved its adoption.

Amendment S-5117 to amendment S-5102 was adopted by a voice vote.

Senator Dotzler moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Dotzler moved that the bill, as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 453), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2259

Senator Gronstal called up for consideration **Senate File 2259**, a bill for an act concerning treatment of a person with a serious mental impairment who fails to comply with an outpatient treatment order, amended by the House in House amendment S-5116, filed April 7, 2016.

Senator Mathis moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Mathis moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2259), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Dirk Dixon, Accountancy Examining Board  
Ying Sa, Accountancy Examining Board  
Laura Walker, Accountancy Examining Board

Dr. Ahmadu Baba-Singhri, Commission on the Status of African Americans

Michael Hulme, Commission on the Status of African Americans  
Clair Rudison, Jr., Commission on the Status of African Americans

Richard Motz, Commission on Aging  
Richard Stone, Commission on Aging

Lyle Borg, Agricultural Development Board

John Pauli, Alcoholic Beverages Commission

Kolby DeWitt, Architectural Examining Board

Jo Matibag, Commission of Asian and Pacific Islander Affairs

Christopher Wiedmann, Board of Athletic Training

James Paprocki, Iowa Autism Council

Rebecca Brockmann, Board of Barbering  
Daniel Butler, Board of Barbering  
Terry Moll, Board of Barbering

Erik Oostenink, Board of Behavioral Science  
Jill Struyk, Board of Behavioral Science

Joseph Van Lent, Commission for the Blind

Gordon Neumann, Iowa Capital Investment Board

James Halverson, City Development Board

John Murphy, Commission on Community Action Agencies

Robert Thompson, Board of Cosmetology Arts and Sciences

Jeffrey Hayes, Credit Union Review Board

Brandon Paulsen, Board of Trustees of the Iowa Cultural Trust  
Connie Schmett, Board of Trustees of the Iowa Cultural Trust

William Felderman, Commission of Deaf Services  
Christina Herrin, Commission of Deaf Services

Dr. Steven Bradley, Board of Dentistry  
Monica Foley, Board of Dentistry  
Thomas Jeneary, Board of Dentistry

Prakash Kopparapu, Commissions of Persons with Disabilities

David Lorenzen, Iowa Drug Policy Advisory Council  
Christina Wilson, Iowa Drug Policy Advisory Council

Richard Clewell, Early Childhood Iowa State Board  
Elizabeth Colby Plautz, Early Childhood Iowa State Board

Thomas Buckman, Board of Educational Examiners

Kyle Barnhart, Electrical Examining Board  
John Claeys, Electrical Examining Board  
David Guthrie, Electrical Examining Board

Kerry Dixon, Elevator Safety Board  
Peggy VandenBerg, Elevator Safety Board

James Strohman, Employment Appeal Board

Robert Fairfax, Engineering and Land Surveying Examining Board

Eric Green, Engineering and Land Surveying Examining Board

Curtis Sindergard, Iowa Grain Indemnity Fund Board

Greg Fisher, Iowa Great Places Board

Dr. Edward Rogalski, Iowa Higher Education Loan Authority

Kimberly Kudej, Council on Human Services

Todd Mithelman, Interior Design Examining Board

Phyllis Peterson, Investment Board of the IPERS

Emily Naylor, Landscape Architectural Examining Board  
Brenda Nelson, Landscape Architectural Examining Board

Marlu Abarca, Commission of Latino Affairs  
Michelle Reuss, Commission of Latino Affairs

Regina Clemens, Iowa Law Enforcement Academy Council  
Michael Tupper, Iowa Law Enforcement Academy Council

Mary Junge, Iowa Lottery Authority Board of Directors

Robin Markus, Board of Massage Therapy

Diane Cortese, Board of Medicine  
Dr. Ronald Kolegraff, Board of Medicine

Marsha Edgington, Mental Health and Disability Services  
Commission  
Sharon Lambert, Mental Health and Disability Services  
Commission  
Brett McLain, Mental Health and Disability Services Commission

Heidi Burhans, Mental Health Risk Pool Board  
Eugene Meiners, Mental Health Risk Pool Board

Timothy Perkins, Commission of Native American Affairs

Nancy Kramer, Board of Nursing  
Mark Odden, Board of Nursing

Karol Dammann, Board of Nursing Home Administrators  
Effie Hill, Board of Nursing Home Administrators  
Lanny Ward, Board of Nursing Home Administrators

Dr. Thomas Hayden, Board of Optometry  
Tamie Stahl, Board of Optometry

Susan Lerdal, Board of Parole

Chris Mayer, Peace Officers' Retirement, Accident, and Disability  
System Trustee

Kay Jessen, Board of Pharmacy  
Sharon Meyer, Board of Pharmacy



Jeremy Kuhn, Board of Physical and Occupational Therapy  
Holly Little, Board of Physical and Occupational Therapy

Melissa Gentry, Board of Physician Assistants  
Thomas Green, Board of Physician Assistants  
Susan Koehler, Board of Physician Assistants

Donald Hansen, Plumbing and Mechanical Systems Examining Board  
Kevin Kiene, Plumbing and Mechanical Systems Examining Board  
Robert Kunkel, Plumbing and Mechanical Systems Examining Board

Dr. Earl Kilgore, Board of Psychology

Richard Arnold, State Racing and Gaming Commission

Robert Felderman, Real Estate Appraiser Examining Board  
Vernon (Fred) Greder, Real Estate Appraiser Examining Board

Dennis Stolk, Real Estate Commission

Kelly Nieuwenhuis, Renewable Fuel Infrastructure Board

Amy Courneya, Board of Social Work

Diana Hanson, Board of Speech Pathology and Audiology

Mary Sellers, Iowa Telecommunications and Technology Commission

Lorene Mein, Commission on Tobacco Use Prevention and Control  
Michele (Micki) Sandquist, Commission on Tobacco Use Prevention and Control

Melissa Walker, Commission on Tobacco Use Prevention and Control

Dan Gannon, Commission of Veterans Affairs  
Gary Wattnem, Commission of Veterans Affairs

Dewayne Rahe, Iowa Board of Veterinary Medicine

Jacob Anderson, Vision Iowa Board

Sean Bagniewski, Commission on the Status of Women  
Elizabeth Coonan, Commission on the Status of Women  
David Gudenkauf, Commission on the Status of Women

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 48:

Allen	Courtney	Jochum	Schultz
Anderson	Danielson	Kapucian	Segebart
Behn	Dearden	Kinney	Seng
Bertrand	Dix	Kraayenbrink	Shiple
Bisignano	Dotzler	Mathis	Sinclair
Bolkcom	Dvorsky	McCoy	Smith
Bowman	Garrett	Petersen	Sodders
Brase	Gronstal	Quirnbach	Taylor
Breitbach	Guth	Ragan	Whitver
Chapman	Hart	Rozenboom	Wilhelm
Chelgren	Hogg	Schneider	Zaun
Costello	Horn	Schoenjahn	Zumbach

Nays, 1:

Johnson

Absent, 1:

Feenstra

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 453** and **2259** be **immediately messaged** to the House.

### CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Kristin Johnson as Director of the Iowa Civil Rights Commission, placed on the Individual Confirmation Calendar on February 22, 2016, found on page 316 of the Senate Journal.

Senator Quirnbach moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiplee
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Donna Mueller as Chief Executive Officer of the IPERS, placed on the Individual Confirmation Calendar on March 23, 2016, found on page 594 of the Senate Journal.

Senator Horn moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiplee
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach

Chelgren	Horn	Schoenjahn
Costello	Jochum	Schultz
Courtney	Johnson	Segebart

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Mary Gannon as a member of the Public Employment Relations Board, placed on the Individual Confirmation Calendar on March 23, 2016, found on page 593 of the Senate Journal.

Senator Whitver moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of James Van Fossen as a member of the Public Employment Relations Board, placed on the Individual Confirmation Calendar on March 23, 2016, found on page 593 of the Senate Journal.

Senator Shipley moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shipley
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Kathleen Fehrman as a member of the State Transportation Commission, placed on the Individual Confirmation Calendar on March 29, 2016, found on page 605 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shipley
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Charese Yanney as a member of the State Transportation Commission, placed on the Individual Confirmation Calendar on March 29, 2016, found on page 605 of the Senate Journal.

Senator McCoy moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shipley
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirmbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach

Chelgren	Horn	Schoenjahn
Costello	Jochum	Schultz
Courtney	Johnson	Segebart

Nays, none.

Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Paul Trombino III as Director of Transportation, placed on the Individual Confirmation Calendar on March 29, 2016, found on page 605 of the Senate Journal.

Senator Bowman moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 47:

Allen	Danielson	Kapucian	Segebart
Anderson	Dix	Kinney	Seng
Behn	Dotzler	Kraayenbrink	Shiple
Bertrand	Dvorsky	Mathis	Sinclair
Bolkcom	Garrett	McCoy	Smith
Bowman	Gronstal	Petersen	Sodders
Brase	Guth	Quirnbach	Taylor
Breitbach	Hart	Ragan	Whitver
Chapman	Hogg	Rozenboom	Wilhelm
Chelgren	Horn	Schneider	Zaun
Costello	Jochum	Schoenjahn	Zumbach
Courtney	Johnson	Schultz	

Nays, 2:

Bisignano	Dearden
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Absent, 1:

Feenstra

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

**DEFERRAL OF APPOINTEE**  
(Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Ken Sagar as a member of Iowa Workforce Development Board, placed on the Individual Confirmation Calendar on March 30, 2016, found on page 611 of the Senate Journal.

Senator Dix asked and received unanimous consent that action on the appointment of Ken Sagar be deferred.

**ADJOURNMENT**

On motion of Senator Gronstal, the Senate adjourned at 2:37 p.m. until 9:00 a.m., Tuesday, April 12, 2016.

**APPENDIX**

**COMMUNICATION RECEIVED**

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

**DEPARTMENT OF EDUCATION**

Closing the Achievement Gap Report, pursuant to Iowa Code section 256.9. Report received on April 8, 2016.

**CERTIFICATES OF RECOGNITION**

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

Jess Burger, West Branch—For being named 2016 Elementary Principal of the Year by the School Administrators of Iowa. Senator Dvorsky.

Barb Jorgensen, Harlan—For being recognized as a 2016 Red Cross Hero of the Heartland. Senator Schultz.

Barb Parker, Salix—Upon retirement after 26 years of service as Salix City Clerk. Senator Anderson.

**AMENDMENTS FILED**

S-5117	S.F.	453	William A. Dotzler, Jr.
S-5118	H.F.	2064	Steven J. Soddors



# JOURNAL OF THE SENATE

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NINETY-THIRD CALENDAR DAY  
FIFTY-FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, April 12, 2016

The Senate met in regular session at 9:06 a.m., President Jochum presiding.

Prayer was offered by the Ottumwa High School Meistersingers accompanied by their conductor, Dennis Vasconez. They were the guests of Senators Chelgren and Rozenboom.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Lindsay Larkin.

The Journal of Monday, April 11, 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 April 11, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2446**, a bill for an act relating to county medical examiner fees.

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

**House File 2451**, a bill for an act relating to water quality by modifying the wastewater treatment financial assistance program, providing for appropriations from the rebuild Iowa infrastructure fund, creating a water quality infrastructure fund, establishing a water quality financing program, providing for cost-share programs for infrastructure on agricultural and urban land under the water quality initiative, creating a water service excise tax and a related sales tax exemption, making appropriations, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

### RECESS

On motion of Senator Gronstal, the Senate recessed at 9:45 a.m. until 2:30 p.m.

### RECONVENED

The Senate reconvened at 3:02 p.m., President Jochum presiding.

### HOUSE MESSAGES RECEIVED

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 April 12, 2016, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 2306**, a bill for an act establishing the facilitating business rapid response to state-declared disasters Act, and including effective date and retroactive applicability provisions.

ALSO: That the House has on April 12, 2016, **concurred** in the Senate amendment to the House amendment, **and passed** the following bill in which the concurrence of the House was asked:

**Senate File 453**, a bill for an act relating to the board of pharmacy, including nonresident pharmacy and outsourcing facility licensure, pharmacist supervision of pharmacy technicians, alternate board members, and enforcement authority.

ALSO: That the House has on April 12, 2016, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

**House File 2373**, a bill for an act relating to the organization and administration of limited partnerships and limited liability companies doing business in Iowa.

The Senate stood at ease at 3:04 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:39 p.m., President Jochum presiding.

CONSIDERATION OF BILLS  
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2150 and 2291; and House Files 2064 and 2274.

**Senate File 2150**

On motion of Senator Hogg, **Senate File 2150**, 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, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Hogg asked and received unanimous consent that **House File 2326** be **substituted** for **Senate File 2150**.

**House File 2326**

On motion of Senator Hogg, **House File 2326**, 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, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on **House File 2326** be **deferred**.

### **Senate File 2291**

The Senate resumed consideration of **Senate File 2291**, a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties and applicability dates, deferred April 6, 2016.

Senator Allen offered amendment S-5109, filed by him on April 4, 2016, to pages 1, 2, and 11 and amending the title page of the bill, and moved its adoption.

Amendment S-5109 was adopted by a voice vote.

Senator Allen asked and received unanimous consent that **House File 2394** be **substituted** for **Senate File 2291**.

### **House File 2394**

On motion of Senator Allen, **House File 2394**, a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties and applicability dates, was taken up for consideration.

Senator Allen offered amendment S-5119, filed by him from the floor to pages 2 and 10 and amending the title page of the bill, and moved its adoption.

Amendment S-5119 was adopted by a voice vote.

Senator Allen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2394), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple

Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

#### WITHDRAWN

Senator Allen asked and received unanimous consent that **Senate File 2291** be **withdrawn** from further consideration of the Senate.

#### House File 2064

On motion of Senator Sodders, **House File 2064**, a bill for an act relating to the criminal offense of child endangerment resulting in the death of a child or minor, and providing penalties, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sodders offered amendment S-5082, filed by the committee on Judiciary on March 14, 2016, to page 2 and amending the title page of the bill.

Senator Sodders offered amendment S-5118, filed by him on April 11, 2016, to page 1 and amending the title provisions of amendment S-5082, and moved its adoption.

Amendment S-5118 to amendment S-5082 was adopted by a voice vote.

With the adoption of amendment S-5118 (to amendment S-5082), the Chair ruled amendment S-5086, filed by Senator Kinney on March 14, 2016, to page 1 and amending the title provisions of amendment S-5082, out of order.

Senator Sodders moved the adoption of amendment S-5082, as amended.

Amendment S-5082, as amended, was adopted by a voice vote.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2064), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, 1:

Costello

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

## House File 2274

On motion of Senator Bisignano, **House File 2274**, a bill for an act concerning documentation of age for purposes of obtaining a child labor permit, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending passage, was taken up for consideration.

Senator Bisignano moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2274), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2064, 2274, and 2394** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:57 p.m. until 9:00 a.m., Wednesday, April 13, 2016.

**APPENDIX****REPORTS OF COMMITTEE MEETINGS****WAYS AND MEANS**

**Convened:** Tuesday, April 12, 2016, 2:00 p.m.

**Members Present:** Bolkcom, Chair; Allen, Vice Chair; Feenstra, Ranking Member; Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith.

**Members Absent:** None.

**Committee Business:** Passed SF 2212, HF 2436, and SSB 3178.

**Adjourned:** 3:00 p.m.

**ECONOMIC DEVELOPMENT APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Tuesday, April 12, 2016, 10:00 a.m.

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

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 1:35 p.m.

**EDUCATION APPROPRIATIONS SUBCOMMITTEE**

**Convened:** Tuesday, April 12, 2016, 10:05 a.m.

**Members Present:** Schoenjahn, Chair; Quirmbach, Vice Chair; Kraayenbrink, Ranking Member; Horn, and Sinclair.

**Members Absent:** None.

**Committee Business:** Budget discussion.

**Adjourned:** 10:55 am.

**Adjourned:**

**STUDY BILL RECEIVED****SSB 3182 Appropriations**

Relating to the collection of delinquent court debt and associated installment agreements.



SUBCOMMITTEE ASSIGNMENTS

House File 2439

APPROPRIATIONS: Danielson, Chair; Chapman and Dvorsky

SSB 3182

APPROPRIATIONS: Courtney, Chair; Dvorsky and Schneider

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: HOUSE FILE 2436, a bill for an act relating to real estate appraisal, including by requiring the superintendent of banking to regulate appraisal management companies and supervise the Iowa real estate appraiser board, making penalties applicable, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 12th day of April, 2016.

Senate Files 503, 2116, 2185, 2219, 2228, 2233, 2260, and 2273.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

Table with 4 columns: Bill Number, Type (H.F.), Number, and Name. Rows include S-5119 (Chaz Allen), S-5120 (Rich Taylor), and S-5121 (Tod R. Bowman).

# JOURNAL OF THE SENATE

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NINETY-FOURTH CALENDAR DAY  
FIFTY-FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, April 13, 2016

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Pastor Andrew Bardole of the Corning United Methodist Church in Corning, Iowa. He was the guest of Senator Shipley.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kira Le.

The Journal of Tuesday, April 12, 2016, was approved.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 9:22 a.m. until 11:00 a.m.

## RECONVENED

The Senate reconvened at 11:10 a.m., President Jochum presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bertrand, until he arrives, on request of Senator Dix.

**CONSIDERATION OF BILL**  
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2309.

**Senate File 2309**

On motion of Senator Hogg, **Senate File 2309**, a bill for an act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date provisions, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2309), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS  
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2413 and Senate File 2299.

**House File 2413**

On motion of Senator Quirmbach, **House File 2413**, a bill for an act relating to reading proficiency assessments and intensive summer reading programs administered and provided by school districts, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending passage, was taken up for consideration.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2413), the vote was:

Yeas, 42:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	Quirmbach	Sodders
Bowman	Garrett	Ragan	Taylor
Brase	Gronstal	Rozenboom	Whitver
Breitbach	Guth	Schneider	Wilhelm
Chelgren	Hogg	Schoenjahn	Zumbach
Costello	Horn	Schultz	
Courtney	Jochum	Segebart	

Nays, 7:

Chapman	Hart	McCoy	Zaun
Dotzler	Johnson	Petersen	

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## Senate File 2299

On motion of Senator Mathis, **Senate File 2299**, a bill for an act relating to the early childhood Iowa initiative, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Gronstal offered amendment S-5123, filed by him from the floor to pages 1-4 of the bill.

(Amendment S-5123 and Senate File 2299 were deferred.)

The Senate stood at ease at 11:54 a.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 12:11 p.m., President Jochum presiding.

The Senate resumed consideration of Senate File 2299 and amendment S-5123, previously deferred.

Senator Gronstal moved the adoption of amendment S-5123.

Amendment S-5123 was adopted by a voice vote.

Senator Mathis moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2299), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shipley
Behn	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach

Costello	Horn	Schoenjahn
Courtney	Jochum	Schultz
Danielson	Johnson	Segebart

Nays, none.

Absent, 1:

Bertrand

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2299 and 2309** and **House File 2413** be **immediately messaged** to the House.

### RECESS

On motion of Senator Gronstal, the Senate recessed at 12:15 p.m. until 4:00 p.m.

### APPENDIX—1

#### CERTIFICATE OF RECOGNITION

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

Alex Packard, Davenport—For achieving the rank of Eagle Scout, Troop #199. Senator Smith.

#### INTRODUCTION OF BILLS

**Senate File 2310**, by committee on Ways and Means, a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility.

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

**Senate File 2311**, by committee on Appropriations, a bill for an act relating to the department of public defense by providing for the gold star military museum.

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

### STUDY BILLS RECEIVED

#### **SSB 3183      Appropriations**

Making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions.

#### **SSB 3184      Appropriations**

Relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

### SUBCOMMITTEE ASSIGNMENTS

#### **SSB 3183**

APPROPRIATIONS: Dotzler, Chair; Dvorsky and Schneider

#### **SSB 3184**

APPROPRIATIONS: Wilhelm, Chair; Dvorsky and Rozenboom

### FINAL COMMITTEE REPORTS OF BILL ACTION

#### **APPROPRIATIONS**

**Bill Title:** \*SENATE FILE 2311 (formerly SF 2073), a bill for an act relating to the department of public defense by providing for the gold star military museum.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 21: Dvorsky, Danielson, Chapman, Bisignano, Bolkom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach. 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 Appropriations Committee on Senate File 2311, and they were attached to the committee report.

#### WAYS AND MEANS

**Bill Title:** SENATE FILE 2310 (SSB 3178), a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Bolkcom, Allen, Feenstra, Anderson, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Schultz, Seng, and Smith. Nays, 2: Behn and Quirmbach. Absent, none.

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

#### RECONVENED

The Senate reconvened at 4:09 p.m., President Jochum presiding.

#### HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 13, 2016, **amended and passed** the following bill in which the concurrence of the Senate is asked:

**Senate File 2304**, a bill for an act relating to standards for and certification and inspection of children's residential facilities. (S-5125)

#### CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2414 and 2392.

#### House File 2414

On motion of Senator Bowman, **House File 2414**, a bill for an act providing for the regulation of transportation network companies, and including applicability provisions, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending passage, was taken up for consideration.



Senator Bowman offered amendment S-5122, filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Taylor offered amendment S-5124, filed by him from the floor to page 1 and amending the title provisions of amendment S-5122.

Senator Breitbach raised the point of order that amendment S-5124 to amendment S-5122 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5124 out of order.

Senator Bowman moved the adoption of amendment S-5122.

Amendment S-5122 was adopted by a voice vote.

With the adoption of amendment S-5122, the Chair ruled amendment S-5120, filed by Senator Taylor on April 12, 2016, to pages 1 and 10 and amending the title page of the bill; and amendment S-5121, filed by Senator Bowman on April 12, 2016, to pages 1-5, 8, and 9, and amending the title page of the bill, out of order.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2414), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### House File 2392

On motion of Senator Schoenjahn, **House File 2392**, a bill for an act providing for academic and career guidance and career and technical education programs and requirements and workplace learning programs, and including effective date provisions, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee without recommendation, was taken up for consideration.

Senator Quirmbach offered amendment S-5126, filed by him from the floor to pages 4, 10, 12, 19, 21, 27, and 39 of the bill, and moved its adoption.

Amendment S-5126 was adopted by a voice vote.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2392), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	ShIPLEY
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2392** and **2414** be **immediately messaged** to the House.

### CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Ken Sagar as a member of the a member of the Iowa Workforce Development Board, placed on the Individual Confirmation Calendar on March 30, 2016, found on page 611 of the Senate Journal, previously deferred on April 12, 2016.

Senator Bisignano moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 42:

Allen	Dix	Kapucian	Segebart
Anderson	Dotzler	Kinney	Seng
Bertrand	Dvorsky	Kraayenbrink	Shiple
Bisignano	Feenstra	Mathis	Sinclair
Bolkcom	Gronstal	McCoy	Smith
Bowman	Guth	Petersen	Sodders
Brase	Hart	Quirmbach	Taylor
Breitbach	Hogg	Ragan	Wilhelm
Courtney	Horn	Rozenboom	Zumbach
Danielson	Jochum	Schneider	
Dearden	Johnson	Schoenjahn	

Nays, 8:

Behn	Chelgren	Garrett	Whitver
Chapman	Costello	Schultz	Zaun

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of San Wong as Director of the Department of Human Rights, placed on the Individual Confirmation Calendar on March 25, 2016, found on page 606 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 46:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shipley
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Quirnbach	Taylor
Brase	Gronstal	Ragan	Whitver
Breitbach	Guth	Rozenboom	Wilhelm
Chapman	Hart	Schneider	Zaun
Chelgren	Hogg	Schoenjahn	Zumbach
Costello	Horn	Schultz	
Courtney	Jochum	Segebart	

Nays, 4:

Bowman	Danielson	Johnson	Petersen
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Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

### CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Miranda Mathis, Commission on the Status of African Americans

Dr. Matthew O'Brien, Iowa Autism Council

Karyn Finn, Credit Union Review Board

Michael B. Ballard, Deaf Services Commission

Judy Janning-Reicks, Early Childhood Iowa State Board

Bettie Bolar, State Board of Education

Dr. Jay Prescott, Board of Educational Examiners  
Dr. Anne Sullivan, Board of Educational Examiners

Jeannette Martinez, Commission of Latino Affairs

KellyAnn Light-McGroary, Board of Medicine

Carl Linge, Board of Mortuary Science

Leland Tack, School Budget Review Committee

Michael B. Ballard, Board of Sign Language Interpreters and Transliterators

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:53 p.m. until 9:00 a.m., Thursday, April 14, 2016.

## APPENDIX—2

### REPORTS OF COMMITTEE MEETING

#### HUMAN RESOURCES

**Convened:** Wednesday, April 13, 2016, 3:00 p.m.

**Members Present:** Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, and Wilhelm.

**Members Absent:** Chelgren and Taylor (both excused).

**Committee Business:** Medicaid discussion and presentation.

**Adjourned:** 4:00 p.m.

### INTRODUCTION OF RESOLUTION

**Senate Resolution 112**, by Dotzler, a resolution commending the results of Taiwan's 2016 presidential election reaffirming support for increasing Taiwan's international profile and for strengthening and expanding sister-state ties between Iowa and Taiwan.

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

### INTRODUCTION OF BILL

**Senate File 2312**, by committee on Ways and Means, a bill for an act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site.

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

### SUBCOMMITTEE ASSIGNMENTS

**Senate File 504**  
(Reassigned)

WAYS AND MEANS: Hogg, Chair; Behn and Petersen

**House File 2443**

WAYS AND MEANS: Dotzler, Chair; Bolkcom and Smith

**House File 2446**

WAYS AND MEANS: Allen, Chair; Petersen and Schultz

**FINAL COMMITTEE REPORT OF BILL ACTION****WAYS AND MEANS**

**Bill Title:** \*SENATE FILE 2312 (formerly SF 2212), a bill for an act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Bolkcom, Allen, Feenstra, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, and Seng. Nays, 5: Anderson, Behn, Quirmbach, Schultz, and Smith. 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 Ways and Means Committee on Senate File 2312, and they were attached to the committee report.

**RESOLUTIONS ENROLLED, SIGNED, AND SENT TO THE  
SECRETARY OF STATE**

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following resolutions have been enrolled, signed by the President of the Senate and the Speaker of the House, and submitted to the Secretary of State for deposit on this 13th day of April, 2016.

Senate Joint Resolutions 2006 and 2007.

MICHAEL E. MARSHALL  
Secretary of the Senate

**BILLS SIGNED BY THE GOVERNOR**

A communication was received announcing that on April 13, 2016, the Governor approved and transmitted to the Secretary of State the following bills:

**Senate File 503** – Relating to certain fees collected by the county sheriff.

**Senate File 2116** – Adding substances to schedule I of the controlled substance schedules, and providing penalties.

**Senate File 2185** – Relating to a criminal trespass that results in a violation of a person's expectation of privacy, and providing penalties.

**Senate File 2228** – Relating to the activities of motor vehicle dealers, including the electronic submission of applications for motor vehicle registration and issuance of certificates of title, the furnishing of surety bonds, and the assessment of documentary fees, and making a penalty applicable.

**Senate File 2233** – Creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty.

**Senate File 2260** – Relating to disclosure of ownership and control information for nonprofit corporations under the Medicaid program.

**Senate File 2273** – Relating to licensure of home food establishments by raising the ceiling on gross annual sales for a home food establishment.

### EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on Wednesday, April 13, 2016, when the vote was taken on Senate File 2299, Senate File 2309, and House File 2413. Had I been present, I would have voted AYE on each of these bills.

RICK BERTRAND

### AMENDMENTS FILED

S-5122	H.F.	2414	Tod R. Bowman
S-5123	S.F.	2299	Michael E. Gronstal
S-5124	H.F.	2414	Rich Taylor
S-5125	S.F.	2304	House
S-5126	H.F.	2392	Herman C. Quirmbach



*State of Iowa*

**JOURNAL  
OF THE SENATE**

**EIGHTY-SIXTH  
GENERAL ASSEMBLY**

**2016 REGULAR SESSION**

**Volume II**

**PAM JOCHUM, President of the Senate**  
**MICHAEL E. MARSHALL, Secretary of the Senate**

Published by the  
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Des Moines



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# JOURNAL OF THE SENATE

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NINETY-FIFTH CALENDAR DAY  
FIFTY-SIXTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, April 14, 2016

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

Prayer was offered by Father Ken Gehling, chaplain of Mercy Medical Center in Mason City, Iowa. He was the guest of Senator Ragan.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Samantha Lofthouse.

The Journal of Wednesday, April 13, 2016, was approved.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 9:10 a.m. until 12:00 p.m.

## RECONVENED

The Senate reconvened at 11:58 a.m., President Jochum presiding.

The Senate stood at ease at 11:59 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 12:41 p.m., President Jochum presiding.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Behn, Bertrand, Chelgren, and Zumbach, until they arrive, on request of Senator Dix.

## CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2157.

### **Senate File 2157**

On motion of Senator Danielson, **Senate File 2157**, a bill for an act relating to elections administration with respect to the address confidentiality program, satellite absentee voting, and the conduct of school district elections, placed on the Unfinished Business Calendar on March 10, 2016, was taken up for consideration.

Senator Danielson offered amendment S-5005, filed by him on February 11, 2016, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5005 was adopted by a voice vote.

Senator Danielson asked and received unanimous consent that **House File 2273** be **substituted** for **Senate File 2157**.

### **House File 2273**

On motion of Senator Danielson, **House File 2273**, a bill for an act relating to elections administration with respect to the address confidentiality program, satellite absentee voting, and the conduct of school district elections, was taken up for consideration.

Senator Danielson withdrew amendment S-5127, filed by him from the floor to pages 1 and 5 and amending the title page of the bill.

Senator Danielson offered amendment S-5128, filed by him from the floor to pages 1 and 5 and amending the title page of the bill, and moved its adoption.

Amendment S-5128 was adopted by a voice vote.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2273), the vote was:

Yeas, 46:

Allen	Dix	Kapucian	Segebart
Anderson	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shiple
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirnbach	Taylor
Chapman	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zaun
Danielson	Jochum	Schoenjahn	
Dearden	Johnson	Schultz	

Nays, none.

Absent, 4:

Behn	Bertrand	Chelgren	Zumbach
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2273** be **immediately messaged** to the House.

## CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Emily Forquer, Architectural Examining Board

Peggy La, Commission of Asian and Pacific Islander Affairs

Christopher Kamm, Board of Athletic Training

James Curry, Iowa Autism Council

Valerie Felton, Board of Barbering

Sarah Thomas, Board of Behavioral Science

Dr. Jason Wall, Board of Chiropractic

Scott Zahnle, Credit Union Review Board

Joe Hickey, Commissions of Persons with Disabilities

Michael Knedler, State Board of Education

Carole Tillotson, Iowa Ethics and Campaign Disclosure Board

John Walsh, Iowa Ethics and Campaign Disclosure Board

Monica Bieri, Iowa Grain Indemnity Fund Board

Barbara Determan, Iowa Great Places Board

Emily Meyer, Iowa Great Places Board

Juan Rodriguez, Commission of Latino Affairs

Rebecca Peterson, Mental Health and Disability Services  
Commission

Marilyn Seemann, Mental Health and Disability Services  
Commission

Kimberly Doehrmann, Board of Mortuary Science

N. Kurt Mumm, Jr., Iowa Comprehensive Petroleum Underground  
Storage Tank Fund Board

Stephanie Kelsick, Board of Physical and Occupational Therapy



Brandon Butters, Board of Respiratory Care

Gina Primmer, School Budget Review Committee

Jody Weigel, Board of Social Work

Dennis Carlson, State Soil Conservation Committee

Jacqueline Pullen, Technology Advisory Council

Eric Bookmeyer, Vision Iowa Board

Melissa Thompson, Commission on Community Action Agencies

Mary Ellen Kimball, Board of Trustees of the Iowa Cultural Trust

Jennifer Keaton, Commission of Deaf Services

Eric Seuren, Renewable Fuel Infrastructure Board

Susan Tyrrell, Board of Sign Language Interpreters and Translitterators

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question “Shall the appointees be confirmed?” the vote was:

Yeas, 46:

Allen	Dix	Kapucian	Segebart
Anderson	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shiple
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirnbach	Taylor
Chapman	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zaun
Danielson	Jochum	Schoenjahn	
Dearden	Johnson	Schultz	

Nays, none.

Absent, 4:

Behn	Bertrand	Chelgren	Zumbach
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The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

## WITHDRAWN

Senator Danielson asked and received unanimous consent that **Senate File 2157** be **withdrawn** from further consideration of the Senate.

### CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Helen Sinclair as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on March 29, 2016, found on page 605 of the Senate Journal.

Senator Hogg moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Allen	Dix	Kapucian	Segebart
Anderson	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shiple
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirnbach	Taylor
Chapman	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zaun
Danielson	Jochum	Schoenjahn	
Dearden	Johnson	Schultz	

Nays, none.

Absent, 4:

Behn	Bertrand	Chelgren	Zumbach
------	----------	----------	---------

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Steve Sukup as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on March 29, 2016, found on page 605 of the Senate Journal.

Senator Hogg moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 46:

Allen	Dix	Kapucian	Segebart
Anderson	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shiple
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirmbach	Taylor
Chapman	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zaun
Danielson	Jochum	Schoenjahn	
Dearden	Johnson	Schultz	

Nays, none.

Absent, 4:

Behn	Bertrand	Chelgren	Zumbach
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Dr. Christina Taylor as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on March 29, 2016, found on page 605 of the Senate Journal.

Senator Hogg moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 46:

Allen	Dix	Kapucian	Segebart
Anderson	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shiple

Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirmbach	Taylor
Chapman	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zaun
Danielson	Jochum	Schoenjahn	
Dearden	Johnson	Schultz	

Nays, none.

Absent, 4:

Behn	Bertrand	Chelgren	Zumbach
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Dr. Ryan Wise as Director of the Department of Education, placed on the Individual Confirmation Calendar on February 23, 2016, found on page 345 of the Senate Journal.

Senator Quirmbach moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 42:

Allen	Dix	Kapucian	Segebart
Anderson	Dotzler	Kraayenbrink	Seng
Bisignano	Feenstra	Mathis	Shipley
Bolkcom	Garrett	McCoy	Sinclair
Bowman	Gronstal	Petersen	Smith
Brase	Guth	Quirmbach	Sodders
Breitbach	Hart	Ragan	Taylor
Costello	Hogg	Rozenboom	Whitver
Courtney	Horn	Schneider	Wilhelm
Danielson	Jochum	Schoenjahn	
Dearden	Johnson	Schultz	

Nays, 4:

Chapman	Dvorsky	Kinney	Zaun
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Absent, 4:

Behn	Bertrand	Chelgren	Zumbach
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Gronstal called up the appointment of Dr. Mariannette Miller-Meeks as a member of the Healthy and Well Kids in Iowa (HAWK-I) Board, placed on the Individual Confirmation Calendar on March 23, 2016, found on page 594 of the Senate Journal.

Senator Ragan moved that the foregoing appointment not be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 28:

Allen	Dix	Kapucian	Segebart
Anderson	Feenstra	Kinney	Shipley
Breitbach	Garrett	Kraayenbrink	Sinclair
Chapman	Guth	McCoy	Smith
Costello	Hogg	Rozenboom	Sodders
Courtney	Horn	Schneider	Whitver
Danielson	Johnson	Schultz	Zaun

Nays, 18:

Bisignano	Dotzler	Mathis	Seng
Bolkcom	Dvorsky	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Wilhelm
Brase	Hart	Ragan	
Dearden	Jochum	Schoenjahn	

Absent, 4:

Behn	Bertrand	Chelgren	Zumbach
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The appointee, having failed to receive a two-thirds vote, was declared to have failed to be confirmed by the Senate.

Senator Gronstal called up the appointment of Robert S. von Wolfradt as Chief Information Officer, placed on the Individual Confirmation Calendar on March 23, 2016, found on page 594 of the Senate Journal.

Senator Danielson moved that the foregoing appointment be confirmed by the Senate.

On the question “Shall the appointee be confirmed?” the vote was:

Yeas, 46:

Allen	Dix	Kapucian	Segebart
Anderson	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shiple
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirnbach	Taylor
Chapman	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zaun
Danielson	Jochum	Schoenjahn	
Dearden	Johnson	Schultz	

Nays, none.

Absent, 4:

Behn	Bertrand	Chelgren	Zumbach
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:31 p.m. until 8:30 a.m., Friday, April 15, 2016.

## APPENDIX

### COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### AUDITOR OF STATE

Report of Recommendations to UNI—eBusiness Payroll and Human Resources System, pursuant to Iowa Code section 11.4. Report received on April 14, 2016.

## CERTIFICATE OF RECOGNITION

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

Jacob Hutchins, Cedar Rapids—For achieving the rank of Eagle Scout, Troop #29. Senator Horn.

## REPORTS OF COMMITTEE MEETINGS

### WAYS AND MEANS

**Convened:** Thursday, April 14, 2016, 11:10 a.m.

**Members Present:** Bolkcom, Chair; Allen, Vice Chair; Feenstra, Ranking Member; Anderson, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schultz, Seng, and Smith.

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

**Committee Business:** Passed SFs 483, 2033, and 2236; and passed HF 2445.

**Adjourned:** 11:50 a.m.

### ADMINISTRATION AND REGULATION APPROPRIATIONS SUBCOMMITTEE

**Convened:** Thursday, April 14, 2016, 8:35 a.m.

**Members Present:** Brase, Chair; Danielson, Vice Chair; Zumbach, Ranking Member; Allen, and Guth.

**Members Absent:** None.

**Committee Business:** Bill discussion.

**Adjourned:** 9:05 a.m.

## INTRODUCTION OF RESOLUTIONS

**Senate Resolution 113**, by committee on Rules and Administration, a resolution deferring action on the confirmation of certain appointments submitted by the Governor.

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

**Senate Resolution 114**, by Chelgren, Zaun, Schultz, Rozenboom, and Schneider, a resolution urging Congress and the President of the United States to reclassify cannabis as a schedule II controlled substance under the United States Controlled Substances Act to facilitate research and testing on the potential benefits of medical cannabis.

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

### INTRODUCTION OF BILLS

**Senate File 2313**, by committee on Appropriations, a bill for an act relating to employment services programs administered by the department of workforce development by providing for conformity with federal law concerning the workforce development board, authorizing the department to carry out certain actions relating to the unemployment insurance program, making an appropriation, and including effective date provisions.

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

**Senate File 2314**, by committee on Appropriations, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, and including effective date and retroactive applicability provisions.

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

**Senate File 2315**, by committee on Appropriations, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

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



**Senate File 2316**, by committee on Appropriations, a bill for an act relating to the collection of delinquent court debt and associated installment agreements.

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

**Senate File 2317**, by committee on Ways and Means, a bill for an act exempting from the sales tax certain items and services sold to a nonprofit human blood collection and processing establishment, including effective date and retroactive applicability provisions.

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

**Senate File 2318**, by committee on Ways and Means, 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 **placed on Ways and Means calendar**.

**Senate File 2319**, by committee on Ways and Means, a bill for an act relating to an alternative fuel vehicle facility income tax credit and including applicability provisions.

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

## SUBCOMMITTEE ASSIGNMENT

### House File 2451

APPROPRIATIONS: Dvorsky, Chair; Kraayenbrink and McCoy

## FINAL COMMITTEE REPORTS OF BILL ACTION

### APPROPRIATIONS

**Bill Title:** \*SENATE FILE 2313 (SSB 3176), a bill for an act relating to employment services programs administered by the department of workforce development by providing for conformity with federal law concerning the workforce development board, authorizing the department to carry out certain actions relating to the unemployment insurance program, making an appropriation, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 20: Dvorsky, Danielson, Bisignano, Bolkom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach. Nays, 1: Chapman. 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 2313, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2314, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, and including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Dvorsky, Danielson, Bisignano, Bolkom, Brase, Courtney, Dotzler, Hogg, Mathis, McCoy, Ragan, Schoenjahn, and Wilhelm. Nays, 7: Chapman, Garrett, Kapucian, Kraayenbrink, Rozenboom, Schneider, and Segebart. Absent, 1: Zumbach.

**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 2314, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2315 (SSB 3184), a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 16: Dvorsky, Danielson, Bisignano, Bolkom, Brase, Courtney, Dotzler, Hogg, Kapucian, Mathis, McCoy, Ragan, Rozenboom, Schoenjahn, Segebart, and Wilhelm. Nays, 4: Chapman, Garrett, Kraayenbrink, and Schneider. Absent, 1: Zumbach.

**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 2315, and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*SENATE FILE 2316 (SSB 3182), a bill for an act relating to the collection of delinquent court debt and associated installment agreements.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 20: Dvorsky, Danielson, Chapman, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, and Wilhelm. Nays, None. Absent, 1: Zumbach.

**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 2313, and they were attached to the committee report.

## WAYS AND MEANS

**Bill Title:** \*SENATE FILE 2317 (formerly SF 2033), a bill for an act exempting from the sales tax certain items and services sold to a nonprofit human blood collection and processing establishment, including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: Behn.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2317, and they were attached to the committee report.

## ALSO:

**Bill Title:** \*SENATE FILE 2318 (formerly SF 2236), 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.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: Behn.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2318, and they were attached to the committee report.

## ALSO:

**Bill Title:** \*SENATE FILE 2319 (formerly SF 483), a bill for an act relating to an alternative fuel vehicle facility income tax credit and including applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Bolkcom, Allen, Feenstra, Anderson, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, 1: Behn.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on Senate File 2318, and they were attached to the committee report.

**ALSO:**

**Bill Title:** HOUSE FILE 2445, a bill for an act excluding certain promotional play receipts from the definition of adjusted gross receipts for purposes of the wagering tax on gambling games and relating to other matters involving gambling games regulation.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Allen, Feenstra, Anderson, Breitbach, Dotzler, Jochum, McCoy, Petersen, Schultz, Seng, and Smith. Nays, 3: Bolkcom, Hogg, and Quirmbach. Absent, 1: Behn.

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

## BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 14, 2016, the Governor approved and transmitted to the Secretary of State the following bill:

**Senate File 2219** – Requiring carbon monoxide alarms in certain dwellings and multiple-unit residential buildings, making penalties applicable, and including effective date provisions.

## AMENDMENTS FILED

S-5127	H.F.	2273	Jeff Danielson
S-5128	H.F.	2273	Jeff Danielson
S-5129	S.F.	2312	William A. Dotzler, Jr.

# JOURNAL OF THE SENATE

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NINETY-SIXTH CALENDAR DAY  
FIFTY-SEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, April 15, 2016

The Senate met in regular session at 8:40 a.m., President Jochum presiding.

The Journal of Thursday, April 14, 2016, was approved.

## HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 2016, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2454**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

Read first time and attached to **companion Senate File 2315**.

## ADJOURNMENT

On motion of Senator Dotzler, the Senate adjourned at 8:41 a.m. until 1:00 p.m., Monday, April 18, 2016.

**APPENDIX****STUDY BILLS RECEIVED****SSB 3185 Appropriations**

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective and applicability date provisions.

**SSB 3186 Appropriations**

Relating to appropriations to the justice system.

**SSB 3187 Appropriations**

Relating to appropriations to the judicial branch.

**SUBCOMMITTEE ASSIGNMENTS****SSB 3185**

APPROPRIATIONS: Schoenjahn, Chair; Dvorsky and Kraayenbrink

**SSB 3186**

APPROPRIATIONS: Courtney, Chair; Dvorsky and Garrett

**SSB 3187**

APPROPRIATIONS: Courtney, Chair; Dvorsky and Garrett

# JOURNAL OF THE SENATE

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NINETY-NINTH CALENDAR DAY  
FIFTY-EIGHTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, April 18, 2016

The Senate met in regular session at 1:09 p.m., President Jochum presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

## PLEDGE OF ALLEGIANCE

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

The Journal of Friday, April 15, 2016, was approved.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 1:25 p.m. until 4:00 p.m.

## RECONVENED

The Senate reconvened at 4:43 p.m., President Jochum presiding.

The Senate stood at ease at 4:44 p.m. until the fall of the gavel.

The Senate resumed session at 5:46 p.m., President Jochum presiding.

## HOUSE AMENDMENT CONSIDERED

**Senate File 2304**

Senator Gronstal called up for consideration **Senate File 2304**, a bill for an act relating to standards for and certification and inspection of children's residential facilities, amended by the House in House amendment S-5125, filed April 13, 2016.

Senator Schoenjahn moved that the Senate concur in the House amendment and requested a no vote.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment.

CONSIDERATION OF BILLS  
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2313, 2314, and 2316.

**Senate File 2313**

On motion of Senator Dotzler, **Senate File 2313**, a bill for an act relating to employment services programs administered by the department of workforce development by providing for conformity with federal law concerning the workforce development board, authorizing the department to carry out certain actions relating to the unemployment insurance program, making an appropriation, and including effective date provisions, was taken up for consideration.

Senator Dotzler offered amendment S-5130, filed by him from the floor to page 7 of the bill, and moved its adoption.

Amendment S-5130 was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.



On the question “Shall the bill pass?” (S.F. 2313), the vote was:

Yeas, 27:

Allen	Dearden	Jochum	Schneider
Bisignano	Dotzler	Kinney	Schoenjahn
Bolkcom	Dvorsky	Mathis	Seng
Bowman	Gronstal	McCoy	Sodders
Brase	Hart	Petersen	Taylor
Courtney	Hogg	Quirmbach	Wilhelm
Danielson	Horn	Ragan	

Nays, 23:

Anderson	Costello	Kapucian	Sinclair
Behn	Dix	Kraayenbrink	Smith
Bertrand	Feenstra	Rozenboom	Whitver
Breitbach	Garrett	Schultz	Zaun
Chapman	Guth	Segebart	Zumbach
Chelgren	Johnson	Shipley	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2314

On motion of Senator Brase, **Senate File 2314**, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Brase offered amendment S–5131, filed by him from the floor to pages 1, 6, 17, 18, 20, and 22 of the bill, and moved its adoption.

Amendment S–5131 was adopted by a voice vote.

Senator Brase moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2314), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Nays, 24:

Anderson	Costello	Kapucian	Shipley
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2316

On motion of Senator Courtney, **Senate File 2316**, a bill for an act relating to the collection of delinquent court debt and associated installment agreements, was taken up for consideration.

Senator Courtney offered amendment S-5133, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5133 was adopted by a voice vote.

Senator Bisignano offered amendment S-5134, filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment S-5134 was adopted by a voice vote.

Senator Courtney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2316), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2304, 2313, 2314, and 2316** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2311 and 2315.

#### **Senate File 2311**

On motion of Senator Dvorsky, **Senate File 2311**, a bill for an act relating to the department of public defense by providing for the gold star military museum, was taken up for consideration.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2311), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### Senate File 2315

On motion of Senator Wilhelm, **Senate File 2315**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions, was taken up for consideration.

Senator Wilhelm asked and received unanimous consent that **House File 2454** be **substituted** for **Senate File 2315**.

### House File 2454

On motion of Senator Wilhelm, **House File 2454**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions, was taken up for consideration.

Senator Allen offered amendment S-5132, filed by him from the floor to page 20 of the bill, and moved its adoption.

Amendment S-5132 was adopted by a voice vote.

Senator Johnson asked and received unanimous consent that action on **House File 2454** be **deferred**.

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2312.

**Senate File 2312**

On motion of Senator Dotzler, **Senate File 2312**, a bill for an act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site, was taken up for consideration.

Senator Dotzler offered amendment S-5129, filed by him on April 14, 2016, to page 1 of the bill, and moved its adoption.

Amendment S-5129 was adopted by a voice vote.

(Senate File 2312 was deferred.)

The Senate stood at ease at 6:55 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 7:22 p.m., President Jochum presiding.

The Senate resumed consideration of Senate File 2312, previously deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zumbach, until he returns, on request of Senator Dix.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2312), the vote was:

Yeas, 22:

Allen	Dvorsky	Kinney	Seng
Bisignano	Gronstal	Mathis	Sodders
Bolkcom	Hart	McCoy	Taylor
Brase	Hogg	Petersen	Wilhelm
Courtney	Horn	Ragan	
Dearden	Jochum	Schoenjahn	

Nays, 28:

Anderson	Costello	Johnson	Segebart
Behn	Danielson	Kapucian	Shipley
Bertrand	Dix	Kraayenbrink	Sinclair
Bowman	Dotzler	Quirnbach	Smith
Breitbach	Feenstra	Rozenboom	Whitver
Chapman	Garrett	Schneider	Zaun
Chelgren	Guth	Schultz	Zumbach

Absent, none.

The bill, having not received a constitutional majority, was declared to have failed to pass the Senate.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2311** be **immediately messaged** to the House.

### RECESS

On motion of Senator Gronstal, the Senate recessed at 7:38 p.m. until the completion of a meeting of the committee on Rules and Administration.

### RECONVENED

The Senate reconvened at 7:58 p.m., President Jochum presiding.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 7:59 p.m. until 9:00 a.m., Tuesday, April 19, 2016.

## APPENDIX

### COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### AUDITOR OF STATE

Special Investigation of the City of Dubuque Carnegie-Stout Public Library 7/1/08–4/24/14, pursuant to Iowa Code section 11.6. Report received on April 18, 2016.

### CERTIFICATE OF RECOGNITION

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

Leone Dierenfield Petty—For celebrating her 100<sup>th</sup> birthday. Senator Whitver.

### INTRODUCTION OF RESOLUTIONS

**Senate Resolution 115**, by committee on Rules and Administration, a resolution in support of the Jewish State of Israel and a negotiated settlement resulting in a Palestinian State.

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

**Senate Resolution 116**, by committee on Rules and Administration, a resolution honoring Senator Dick L. Dearden for his years of service in the Senate.

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

**Senate Resolution 117**, by Dvorsky, Hogg, Horn, Kinney, Bolkom, Mathis, Brase, Bowman, Schoenjahn, Quirmbach, McCoy, Jochum, Gronstal, Courtney, Dearden, Taylor, Wilhelm, Bisignano, Petersen, Dotzler, Hart, Ragan, Allen, Kapucian, and Zumbach, a resolution recognizing and congratulating the Kirkwood Community College men's basketball team on winning the National Junior College Athletic Association Division II National Championship on March 19, 2016.

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

## INTRODUCTION OF BILLS

**Senate File 2320**, by committee on Appropriations, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, the state aviation fund, and the federal surface transportation block grant program.

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

**Senate File 2321**, by committee on Appropriations, a bill for an act relating to appropriations to the judicial branch.

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

**Senate File 2322**, by committee on Appropriations, a bill for an act relating to appropriations to the justice system.

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

**Senate File 2323**, by committee on Appropriations, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective and applicability date provisions.

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

## STUDY BILL RECEIVED

**SSB 3188      Appropriations**

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions.



## SUBCOMMITTEE ASSIGNMENT

## SSB 3188

APPROPRIATIONS: McCoy, Chair; Dvorsky and Kapucian

## FINAL COMMITTEE REPORTS OF BILL ACTION

## APPROPRIATIONS

**Bill Title:** SENATE FILE 2320, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, the state aviation fund, and the federal surface transportation block grant program.

**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.

## ALSO:

**Bill Title:** SENATE FILE 2321 (SSB 3187), a bill for an act relating to appropriations to the judicial branch.

**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.

## ALSO:

**Bill Title:** SENATE FILE 2322 (SSB 3186), a bill for an act relating to appropriations to the justice system.

**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.

**ALSO:**

**Bill Title:** \*SENATE FILE 2323 (SSB 3185), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective and applicability 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 2323, and they were attached to the committee report.

**ALSO:**

**Bill Title:** HOUSE FILE 2439, a bill for an act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5135.

**Final Vote:** Ayes, 21: Dvorsky, Danielson, Chapman, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach. Nays, none. Absent, none.

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

**RULES AND ADMINISTRATION**

**Bill Title:** SENATE RESOLUTION 112, a resolution commending the results of Taiwan's 2016 presidential election reaffirming support for increasing Taiwan's international profile and for strengthening and expanding sister-state ties between Iowa and Taiwan.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Gronstal, Jochum, Dix, Chapman, Courtney, Dearden, Dvorsky, Guth, Ragan, Soddors, and Whitver. Nays, none. Absent, none.

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

**ALSO:**

**Bill Title:** SENATE RESOLUTION 115, a resolution in support of the Jewish State of Israel and a negotiated settlement resulting in a Palestinian State.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Gronstal, Jochum, Dix, Chapman, Courtney, Dearden, Dvorsky, Guth, Ragan, Sodders, and Whitver. Nays, none. Absent, none.

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

**MOTIONS TO RECONSIDER FILED**

MADAM PRESIDENT, I move to reconsider the vote by which Senate File 2312 failed to pass the Senate on Monday, April 18, 2016.

WILLIAM A. DOTZLER, JR.

MADAM PRESIDENT, I move to reconsider the vote by which Senate File 2312 failed to pass the Senate on Monday, April 18, 2016.

DAN ZUMBACH

**AMENDMENTS FILED**

S-5130	S.F.	2313	William A. Dotzler, Jr.
S-5131	S.F.	2314	Chris Brase
S-5132	H.F.	2454	Chaz Allen
S-5133	S.F.	2316	Thomas G. Courtney
S-5134	S.F.	2316	Tony Bisignano
S-5135	H.F.	2439	Appropriations
S-5136	H.F.	2454	David Johnson

# JOURNAL OF THE SENATE

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ONE HUNDREDTH CALENDAR DAY  
FIFTY-NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, April 19, 2016

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was sung by Sunshine Singers from Fort Dodge, Iowa and surrounding areas. They were the guests of Senator Kraayenbrink.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kasey Springsteen.

The Journal of Monday, April 18, 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 April 18, 2016, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

**House File 2414**, a bill for an act providing for the regulation of transportation network companies, and including applicability provisions.

ALSO: That the House has on April 18, 2016, **passed** the following bills in which the concurrence of the Senate is sked:

**House File 2455**, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions.

Read first time and referred to committee on **Appropriations**.

**House File 2457**, a bill for an act relating to appropriations to the judicial branch.

Read first time and attached to **companion Senate File 2321**.

**House File 2458**, a bill for an act relating to appropriations to the justice system.

Read first time and attached to **similar Senate File 2322**.

#### SPECIAL PRESENTATION TO SENATE PAGES

The Senate Pages were invited to the well of the Senate for a special presentation and thanked by Senators Dix and Gronstal and President Jochum for their service to the Senate.

A Certificate of Excellence for serving with honor and distinction as a Senate Page during the 2016 Regular Eighty-sixth General Assembly and individual and group pictures were presented to each of the following pages:

Hannah Dettmann, Philip Kiely, Lindsay Larkin, Kira Le, Samantha Lofthouse, Casey Nickel, Cade Olmstead, Ashton Price, Mitchell Sinclair, Kasey Springsteen, Sarah Thompson, and Emily Turek.

The Senate rose and expressed its appreciation.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 9:44 a.m. until 1:00 p.m.

## RECONVENED

The Senate reconvened at 1:01 p.m., President Jochum presiding.

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 116.

**Senate Resolution 116**

On motion of Senator Gronstal, **Senate Resolution 116**, a resolution honoring Senator Dick L. Dearden for his years of service in the Senate, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Resolution 116, which motion prevailed by a voice vote.

Senator Dearden addressed the Senate with brief remarks.

The Senate rose and expressed its tribute to Senator Dearden.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 2:06 p.m. until the completion of a meeting of the committee on Ways and Means.

## RECONVENED

The Senate reconvened at 3:17 p.m., President Jochum presiding.

UNFINISHED BUSINESS  
(Deferred April 18, 2016)

**House File 2454**

The Senate resumed consideration of **House File 2454**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions, deferred April 18, 2016.

Senator Johnson offered amendment S-5136, filed by him on April 18, 2016, to pages 25 and amending the title page of the bill.

Senator Gronstal raised the point of order that amendment S-5136 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5136 out of order.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2454), the vote was:

Yeas, 31:

Allen	Dearden	Johnson	Rozenboom
Bertrand	Dotzler	Kapucian	Schoenjahn
Bisignano	Dvorsky	Kinney	Schultz
Bolkcom	Gronstal	Mathis	Seng
Bowman	Hart	McCoy	Sodders
Brase	Hogg	Petersen	Taylor
Courtney	Horn	Quirmbach	Wilhelm
Danielson	Jochum	Ragan	

Nays, 19:

Anderson	Costello	Kraayenbrink	Smith
Behn	Dix	Schneider	Whitver
Breitbach	Feenstra	Segebart	Zaun
Chapman	Garrett	Shipley	Zumbach
Chelgren	Guth	Sinclair	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

WITHDRAWN

Senator Wilhelm asked and received unanimous consent that **Senate File 2315** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL  
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2320.

**Senate File 2320**

On motion of Senator McCoy, **Senate File 2320**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, the state aviation fund, and the federal surface transportation block grant program, was taken up for consideration.

Senator Segebart withdrew amendment S-5143, filed by him from the floor to page 8 and amending the title page of the bill.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2320), the vote was:

Yeas, 27:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Schultz
Bolkcom	Dvorsky	Mathis	Seng
Bowman	Gronstal	McCoy	Sodders
Brase	Hart	Petersen	Taylor
Courtney	Hogg	Quirmbach	Wilhelm
Danielson	Horn	Ragan	

Nays, 23:

Anderson	Costello	Kapucian	Sinclair
Behn	Dix	Kraayenbrink	Smith
Bertrand	Feenstra	Rozenboom	Whitver



Breitbach	Garrett	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach
Chelgren	Johnson	Shipley	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2320** and **House File 2454** be **immediately messaged** to the House.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2439.

#### **House File 2439**

On motion of Senator Danielson, **House File 2439**, a bill for an act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Danielson offered amendment S-5135, filed by the committee on Appropriations on April 18, 2016, to pages 4 and 5 of the bill, and moved its adoption.

Amendment S-5135 was adopted by a voice vote.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2439), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2439** be **immediately messaged** to the House.

### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2310.

### Senate File 2310

On motion of Senator Dotzler, **Senate File 2310**, a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility, was taken up for consideration.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2310), the vote was:

Yeas, 21:

Allen	Gronstal	Mathis	Sodders
Bisignano	Hart	McCoy	Taylor
Bolkcom	Hogg	Petersen	Wilhelm
Brase	Horn	Ragan	
Courtney	Jochum	Schoenjahn	
Dvorsky	Kinney	Seng	

Nays, 29:

Anderson	Danielson	Kapucian	Sinclair
Behn	Dearden	Kraayenbrink	Smith
Bertrand	Dix	Quirnbach	Whitver
Bowman	Dotzler	Rozenboom	Zaun
Breitbach	Feenstra	Schneider	Zumbach
Chapman	Garrett	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson	Shipley	

Absent, none.

The bill, not having received a constitutional majority, was declared to have failed to pass the Senate.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 4:14 p.m. until 5:00 p.m.

## RECONVENED

The Senate reconvened at 5:19 p.m., President Jochum presiding.

## CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2323.

### Senate File 2323

On motion of Senator Schoenjahn, **Senate File 2323**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective and applicability date provisions, was taken up for consideration.

Senator Sinclair withdrew amendment S-5137, filed by her from the floor to page 4 of the bill.

With the withdrawal of amendment S-5137, the Chair ruled amendment S-5140, filed by Senator Sinclair from the floor to page 1 of amendment S-5137, out of order.

Senator Schoenjahn withdrew amendment S-5138, filed by him from the floor to pages 4 and 27 of the bill.

Senator Schoenjahn offered amendment S-5145, filed by him from the floor to pages 4, 23, and 27 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5145 be adopted?" (S.F. 2323), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

Amendment S-5145 was adopted.

Senator Rozenboom offered amendment S-5139, filed by him from the floor to page 23 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5139 be adopted?" (S.F. 2323), the vote was:

Yeas, 24:

Anderson	Costello	Kapucian	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Nays, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	

Absent, none.

Amendment S-5139 lost.

Senator Bowman asked and received unanimous consent to withdraw amendment S-5144, filed by Senator Bowman, et al., from the floor to pages 23 and 30 of the bill.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2323), the vote was:

Yeas, 27:

Allen	Danielson	Horn	Ragan
Bertrand	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders

Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	

Nays, 23:

Anderson	Dix	Kraayenbrink	Sinclair
Behn	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach
Costello	Kapucian	Shipley	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2445.

#### **House File 2445**

On motion of Senator Allen, **House File 2445**, a bill for an act excluding certain promotional play receipts from the definition of adjusted gross receipts for purposes of the wagering tax on gambling games and relating to other matters involving gambling games regulation, with report of committee recommending passage, was taken up for consideration.

Senator Petersen withdrew amendment S-5141, filed by her from the floor to page 1 of the bill.

Senator Allen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2445), the vote was:

Yeas, 38:

Allen	Dearden	Kinney	Shipley
Anderson	Dix	Kraayenbrink	Sinclair
Bertrand	Dotzler	Mathis	Smith

Bisignano	Dvorsky	McCoy	Sodders
Bowman	Gronstal	Ragan	Taylor
Brase	Hart	Schneider	Whitver
Breitbach	Horn	Schoenjahn	Wilhelm
Chelgren	Jochum	Schultz	Zumbach
Courtney	Johnson	Segebart	
Danielson	Kapucian	Seng	

Nays, 12:

Behn	Costello	Guth	Quirmbach
Bolkcom	Feenstra	Hogg	Rozenboom
Chapman	Garrett	Petersen	Zaun

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2323** and **House File 2445** be **immediately messaged** to the House.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:11 p.m. until 9:00 a.m., Wednesday, April 20, 2016.

### APPENDIX

#### CERTIFICATE OF RECOGNITION

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

Margaret Tinsman, Bettendorf—For celebrating her 80<sup>th</sup> birthday. Senator Smith.

#### REPORT OF COMMITTEE MEETING

#### WAYS AND MEANS

**Convened:** Tuesday, April 19, 2016, 2:10 p.m.

**Members Present:** Bolkcom, Chair; Allen, Vice Chair; Feenstra, Ranking Member; Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith.

**Members Absent:** None.

**Committee Business:** Passed HF 2443, as amended; and approved SSB 3168.

**Adjourned:** 3:05 p.m.

## INTRODUCTION OF RESOLUTION

**Senate Resolution 118**, by committee on Rules and Administration, a resolution supporting the federal Renewable Fuel Standard.

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

## INTRODUCTION OF BILLS

**Senate File 2324**, by committee on Appropriations, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions.

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

**Senate File 2325**, by committee on Ways and Means, a bill for an act amending the sales and use tax exemption for the sale of goods and services furnished in fulfillment of a written construction contract with a nonprofit hospital, and including effective date and retroactive applicability provisions.

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

## SUBCOMMITTEE ASSIGNMENT

### House File 2455

APPROPRIATIONS: Dotzler, Chair; Dvorsky and Schneider



## FINAL COMMITTEE REPORTS OF BILL ACTION

### APPROPRIATIONS

**Bill Title:** \*SENATE FILE 2324 (SSB 3188), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability 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 2324, and they were attached to the committee report.

### ALSO:

**Bill Title:** HOUSE FILE 2455, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions.

**Recommendation:** DO PASS.

**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.

### RULES AND ADMINISTRATION

**Bill Title:** \*SENATE RESOLUTION 118 (formerly SR 110), a resolution supporting the federal Renewable Fuel Standard.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Gronstal, Jochum, Dix, Chapman, Courtney, Dearden, Dvorsky, Guth, Ragan, Sodders, 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 Rules and Administration Committee on Senate Resolution 118, and they were attached to the committee report.

**WAYS AND MEANS**

**Bill Title:** \*SENATE FILE 2325 (SSB 3168), a bill for an act amending the sales and use tax exemption for the sale of goods and services furnished in fulfillment of a written construction contract with a nonprofit hospital, and including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, 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 Ways and Means Committee on Senate File 2325, and they were attached to the committee report.

**ALSO:**

**Bill Title:** HOUSE FILE 2443, a bill for an act relating to the programs and duties of the economic development authority by making changes relative to the use of life cycle cost analyses, by making technical changes related to the high quality jobs program, by making changes relative to authority assistance for certain federal small business programs, by allowing counties, cities, and the authority to amend certain economic development enterprise zones agreements, and by making changes to the historic preservation and cultural and entertainment district tax credit, including transferring administrative oversight of the tax credit from the department of cultural affairs to the economic development authority, and including effective date provisions.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5146.

**Final Vote:** Ayes, 15: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.**MOTION TO RECONSIDER FILED**

MADAM PRESIDENT, I move to reconsider the vote by which Senate File 2310 failed to pass the Senate on Tuesday, April 19, 2016.

WILLIAM A. DOTZLER, JR.

## AMENDMENTS FILED

S-5137	S.F.	2323	Amy Sinclair
S-5138	S.F.	2323	Brian Schoenjahn
S-5139	S.F.	2323	Ken Rozenboom
S-5140	S.F.	2323	Amy Sinclair
S-5141	H.F.	2445	Janet Petersen
S-5142	S.F.	2321	Julian B. Garrett
S-5143	S.F.	2320	Mark Segebart
S-5144	S.F.	2323	Tod R. Bowman
			Robert M. Hogg
			Robert E. Dvorsky
			Tony Bisignano
			Kevin Kinney
			Joe Bolkcom
			Amy Sinclair
			Jake Chapman
			Jerry Behn
			Jason Schultz
			Ken Rozenboom
			Dennis Guth
S-5145	S.F.	2323	Brian Schoenjahn
S-5146	H.F.	2443	Ways and Means

# JOURNAL OF THE SENATE

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ONE HUNDRED FIRST CALENDAR DAY  
SIXTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, April 20, 2016

The Senate met in regular session at 9:04 a.m., President Jochum presiding.

Prayer was offered by Father Ed Hurley, retired pastor of the Des Moines Catholic Diocese in Des Moines, Iowa. He was the guest of Senator Zaun.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Sarah Thompson.

The Journal of Tuesday, April 19, 2016, was approved.

## HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 19, 2016, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2459**, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

The Senate stood at ease at 9:19 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:26 a.m., President Jochum presiding.

**CONSIDERATION OF RESOLUTION**  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 118.

**Senate Resolution 118**

On motion of Senator Hogg, **Senate Resolution 118**, a resolution supporting the federal Renewable Fuel Standard, was taken up for consideration.

Senator Hogg moved the adoption of Senate Resolution 118, which motion prevailed by a voice vote.

**LEAVE OF ABSENCE**

Leave of absence was granted as follows:

Senator Dix, until he arrives, on request of Senator Whitver.

**CONSIDERATION OF BILL**  
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2443.

**House File 2443**

On motion of Senator Dotzler, **House File 2443**, a bill for an act relating to the programs and duties of the economic development authority by making changes relative to the use of life cycle cost analyses, by making technical changes related to the high quality jobs program, by making changes relative to authority assistance for certain federal small business programs, by allowing counties, cities, and the authority to amend certain economic development enterprise zones agreements, and by making changes to the historic preservation and cultural and entertainment district tax credit, including transferring administrative oversight of the tax credit from

the department of cultural affairs to the economic development authority, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dotzler offered amendment S-5146, filed by the committee on Ways and Means on April 19, 2016, to pages 12-13, 15-17 of the bill, and moved its adoption.

Amendment S-5146 was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2443), the vote was:

Yeas, 49:

Allen	Danielson	Kapucian	Seng
Anderson	Dearden	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bisignano	Feenstra	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Chelgren	Horn	Schoenjahn	
Costello	Jochum	Schultz	
Courtney	Johnson	Segebart	

Nays, none.

Absent, 1:

Dix

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2443** be **immediately messaged** to the House.

The Senate stood at ease at 10:49 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 11:32 a.m., President Jochum presiding.

CONSIDERATION OF BILLS  
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2321 and 2324.

**Senate File 2321**

On motion of Senator Courtney, **Senate File 2321**, a bill for an act relating to appropriations to the judicial branch, was taken up for consideration.

Senator Garrett withdrew amendment S-5142, filed by him on April 19, 2016, to page 2 of the bill.

Senator Courtney asked and received unanimous consent that **House File 2457** be **substituted** for **Senate File 2321**.

**House File 2457**

On motion of Senator Courtney, **House File 2457**, a bill for an act relating to appropriations to the judicial branch, was taken up for consideration.

Senator Garrett offered amendment S-5148, filed by him from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5148 be adopted?" (H.F. 2457), the vote was:

Yeas, 24:

Anderson	Costello	Kapucian	Shipley
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith

Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Nays, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Absent, none.

Amendment S-5148 lost.

Senator Courtney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2457), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Nays, 24:

Anderson	Costello	Kapucian	Shipley
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.



**Senate File 2324**

On motion of Senator McCoy, **Senate File 2324**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions, was taken up for consideration.

(Senate File 2324 was deferred.)

**RECESS**

On motion of Senator Gronstal, the Senate recessed at 11:54 a.m. until 1:00 p.m.

**RECONVENED**

The Senate reconvened at 1:19 p.m., President Jochum presiding.

**CONSIDERATION OF RESOLUTION**  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 112.

**Senate Resolution 112**

On motion of Senator Dotzler, **Senate Resolution 112**, a resolution commending the results of Taiwan's 2016 presidential election reaffirming support for increasing Taiwan's international profile and for strengthening and expanding sister-state ties between Iowa and Taiwan, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler moved the adoption of Senate Resolution 112, which motion prevailed by a voice vote.

## SPECIAL GUESTS

Senator Dvorsky introduced to the Senate chamber Director General of the Taipei Cultural Economic Office in Chicago, Illinois, Calvin Ho.

Director General Ho addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

President Jochum introduced to the Senate chamber the Honorable Dennis H. Black, former member of the Senate from Jasper County, Grinnell, Iowa.

The Senate rose and expressed its welcome.

## HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 20, 2016, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2460**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions.

Read first time and referred to committee on **Appropriations**.

## BUSINESS PENDING

**Senate File 2324**

The Senate resumed consideration of **Senate File 2324**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions, previously deferred.

Senator McCoy offered amendment S-5147, filed by him from the floor to pages 1 and 5 of the bill, and moved its adoption.

Amendment S-5147 was adopted by a voice vote.

Senator McCoy offered amendment S-5149, filed by him from the floor to pages 6 and 7 of the bill, and moved its adoption.

Amendment S-5149 was adopted by a voice vote.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2324), the vote was:

Yeas, 27:

Allen	Dearden	Jochum	Ragan
Bisignano	Dotzler	Johnson	Schoenjahn
Bolkcom	Dvorsky	Kinney	Seng
Bowman	Gronstal	Mathis	Sodders
Brase	Hart	McCoy	Taylor
Courtney	Hogg	Petersen	Wilhelm
Danielson	Horn	Quirmbach	

Nays, 23:

Anderson	Costello	Kraayenbrink	Sinclair
Behn	Dix	Rozenboom	Smith
Bertrand	Feenstra	Schneider	Whitver
Breitbach	Garrett	Schultz	Zaun
Chapman	Guth	Segebart	Zumbach
Chelgren	Kapucian	Shiple	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2324** be **immediately messaged** to the House.

CONSIDERATION OF BILL  
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2455.

**House File 2455**

On motion of Senator Dotzler, **House File 2455**, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler offered amendment S-5150, filed by him from the floor to pages 9, 11, 17, and amending the title page of the bill, and moved its adoption.

Amendment S-5150 was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2455), the vote was:

Yeas, 27:

Allen	Danielson	Horn	Ragan
Bertrand	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	

Nays, 23:

Anderson	Dix	Kraayenbrink	Sinclair
Behn	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver

Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach
Costello	Kapucian	Shipley	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2455** be **immediately messaged** to the House.

### RECESS

On motion of Senator Gronstal, the Senate recessed at 2:10 p.m. until 4:30 p.m.

### RECONVENED

The Senate reconvened at 5:25 p.m., President Jochum presiding.

### MOTION TO RECONSIDER ADOPTED

#### Senate File 2312

Senator Dotzler called up the motion to reconsider **Senate File 2312**, filed by him on April 18, 2016, found on page 723 of the Senate Journal, and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2312), the vote was:

Yeas, 32:

Allen	Danielson	Horn	Ragan
Bisignano	Dearden	Jochum	Schoenjahn
Bolkcom	Dotzler	Kapucian	Seng
Bowman	Dvorsky	Kinney	Sinclair
Brase	Feenstra	Mathis	Sodders
Breitbach	Gronstal	McCoy	Taylor
Chelgren	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	Zumbach

Nays, 18:

Anderson	Dix	Rozenboom	Smith
Behn	Garrett	Schneider	Whitver
Bertrand	Guth	Schultz	Zaun
Chapman	Johnson	Segebart	
Costello	Kraayenbrink	Shipley	

Absent, none.

The motion to reconsider was adopted and Senate File 2312 was taken up for reconsideration.

Senator Dotzler offered amendment S-5151, filed by him from the floor to pages 2, 3, 5, and 6 of the bill, and moved its adoption.

Amendment S-5151 was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2312), the vote was:

Yeas, 28:

Allen	Dearden	Horn	Ragan
Bisignano	Dotzler	Jochum	Schoenjahn
Bolkcom	Dvorsky	Kinney	Seng
Bowman	Feenstra	Mathis	Sodders
Brase	Gronstal	McCoy	Taylor
Courtney	Hart	Petersen	Wilhelm
Danielson	Hogg	Quirmbach	Zumbach

Nays, 22:

Anderson	Costello	Kraayenbrink	Sinclair
Behn	Dix	Rozenboom	Smith
Bertrand	Garrett	Schneider	Whitver
Breitbach	Guth	Schultz	Zaun
Chapman	Johnson	Segebart	
Chelgren	Kapucian	Shipley	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

With the adoption of Senate File 2312, the motion to reconsider Senate File 2312, filed by Senator Zumbach on April 18, 2016, found on page 723 of the Senate Journal, was out of order.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2312** be **immediately messaged** to the House.

The Senate stood at ease at 5:40 p.m. until the fall of the gavel.

The Senate resumed session at 6:03 p.m., President Jochum presiding.

### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:04 p.m. until 11:30 a.m., Thursday, April 21, 2016.

### APPENDIX

#### REPORTS OF COMMITTEE MEETINGS

##### GOVERNMENT OVERSIGHT

**Convened:** Wednesday, April 20, 2016, 4:10 p.m.

**Members Present:** Hogg, Chair; Schoenjahn, Vice Chair; Garrett, Ranking Member; Kinney, and Whitver.

**Members Absent:** None.

**Committee Business:** Passed HF 2449, as amended.

**Adjourned:** 4:15 p.m.

##### HUMAN RESOURCES

**Convened:** Wednesday, April 20, 2016, 3:00 p.m.

**Members Present:** Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, Taylor, and Wilhelm.

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

**Committee Business:** Medicaid discussion.

**Adjourned:** 4:00 p.m.

## STUDY BILL RECEIVED

**SSB 3189 Appropriations**

Relating to the funding of the statewide interoperable communications system and the expenditure of moneys from the E911 emergency communications fund.

## SUBCOMMITTEE ASSIGNMENTS

**House File 2459**

APPROPRIATIONS: Dvorsky, Chair; Chapman and McCoy

**House File 2460**

APPROPRIATIONS: Ragan, Chair; Dvorsky and Segebart

**SSB 3189**

APPROPRIATIONS: Danielson, Chair; Dvorsky and Schneider

## FINAL COMMITTEE REPORT OF BILL ACTION

**GOVERNMENT OVERSIGHT**

**Bill Title:** HOUSE FILE 2449, a bill for an act concerning the implementation and administration of Acts of the general assembly through administrative rulemakings and including effective date and applicability provisions.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5152.

**Final Vote:** Ayes, 5: Hogg, Schoenjahn, Garrett, Kinney, and Whitver. Nays, none. Absent, none.

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

**BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR**

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 20th day of April, 2016.

Senate Files 453, 2259, and 2306.

MICHAEL E. MARSHALL  
Secretary of the Senate



## MOTIONS TO RECONSIDER FILED

MADAM PRESIDENT, I move to reconsider the vote by which Senate File 2310 failed to pass the Senate on Tuesday, April 19, 2016.

AMY SINCLAIR

MADAM PRESIDENT, I move to reconsider the vote by which House File 2457 passed the Senate on Wednesday, April 20, 2016.

MICHAEL E. GRONSTAL

## AMENDMENTS FILED

S-5147	S.F.	2324	Matt McCoy
S-5148	H.F.	2457	Julian B. Garrett
S-5149	S.F.	2324	Matt McCoy
S-5150	H.F.	2455	William A. Dotzler, Jr.
S-5151	S.F.	2312	William A. Dotzler, Jr.
S-5152	H.F.	2449	Government Oversight
S-5153	S.F.	2322	Thomas G. Courtney

# JOURNAL OF THE SENATE

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ONE HUNDRED SECOND CALENDAR DAY  
SIXTY-FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, April 21, 2016

The Senate met in regular session at 11:37 a.m., President Jochum presiding.

Prayer was offered by the Honorable Tom Shipley, member of the Senate from Adams County, Nodaway, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Hannah Dettmann.

The Journal of Wednesday, April 20, 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 April 20, 2016, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 2314**, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, and including effective date and retroactive applicability provisions.

ALSO: That the House has on April 20, 2016, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

**House File 2273**, a bill for an act relating to elections administration with respect to the address confidentiality program, the printing of ballots, satellite absentee voting, and the conduct of school district elections.

**House File 2392**, a bill for an act providing for academic and career guidance and career and technical education programs and requirements and workplace learning programs, and including effective date provisions.

**House File 2454**, a bill for an act relating to and making appropriations involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

ALSO: That the House has on April 20, 2016, **insisted** on its amendment to **Senate File 2304**, a bill for an act relating to standards for and certification and inspection of children's residential facilities, and the Conference Committee members on the part of the House are: the representative from Cedar, Representative Kaufmann, Chair; the representative from Johnson, Representative Lensing; the representative from Polk, Representative Highfill; the representative from Polk; Representative Gaines; and the representative from Marion, Representative Heartsill.

#### APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2304** on the part of the Senate: Senators Hogg, Chair; Bolkom, Kraayenbrink, Quirmbach, and Sinclair.

#### IMMEDIATELY MESSAGED

**Senate File 2304** was **immediately messaged** to the House.

The Senate stood at ease at 11:52 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 12:37 p.m., President Jochum presiding.

## MOTION TO RECONSIDER WITHDRAWN

**House File 2457**

Senator Gronstal withdrew the motion to reconsider **House File 2457**, a bill for an act relating to appropriations to the judicial branch, filed by him on April 20, 2016, found on page 753 of the Senate Journal.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2457** be **immediately messaged** to the House.

## WITHDRAWN

Senator Courtney asked and received unanimous consent that **Senate File 2321** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL  
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2322.

**Senate File 2322**

On motion of Senator Courtney, **Senate File 2322**, a bill for an act relating to appropriations to the justice system, was taken up for consideration.

Senator Courtney offered amendment S-5153, filed by him on April 20, 2016, to pages 8, 9, 14, and 22 of the bill, and moved its adoption.

Amendment S-5153 was adopted by a voice vote.

Senator Courtney asked and received unanimous consent that **House File 2458** be **substituted** for **Senate File 2322**.

## House File 2458

On motion of Senator Courtney, **House File 2458**, a bill for an act relating to appropriations to the justice system, was taken up for consideration.

Senator Courtney offered amendment S-5154, filed by him from the floor to pages 3, 8-10, and 18 of the bill.

Senator Courtney asked and received unanimous consent that action on amendment S-5154 and **House File 2458** be **deferred**.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bertrand and Guth, until they arrive, on request of Senator Dix.

## CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2449.

## House File 2449

On motion of Senator Hogg, **House File 2449**, a bill for an act concerning the implementation and administration of Acts of the general assembly through administrative rulemakings and including effective date and applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hogg offered amendment S-5152, filed by the committee on Government Oversight on April 20, 2016, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5152 was adopted by a voice vote.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2449), the vote was:

Yeas, 48:

Allen	Danielson	Johnson	Schultz
Anderson	Dearden	Kapucian	Segebart
Behn	Dix	Kinney	Seng
Bisignano	Dotzler	Kraayenbrink	Shiple
Bolkcom	Dvorsky	Mathis	Sinclair
Bowman	Feenstra	McCoy	Smith
Brase	Garrett	Petersen	Sodders
Breitbach	Gronstal	Quirnbach	Taylor
Chapman	Hart	Ragan	Whitver
Chelgren	Hogg	Rozenboom	Wilhelm
Costello	Horn	Schneider	Zaun
Courtney	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Bertrand                      Guth

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2449** be **immediately messaged** to the House.

### RECESS

On motion of Senator Gronstal, the Senate recessed at 12:51 p.m. until the completion of a meeting of the committee on Ways and Means.

### RECONVENED

The Senate reconvened at 2:29 p.m., President Jochum presiding.

The Senate stood at ease at 2:30 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:43 p.m., President Jochum presiding.

## HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 21, 2016, **amended** the Senate amendment, **concurred** in the Senate amendment **as amended**, and **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2394**, a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties. (S-5155)

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:44 p.m. until 9:00 a.m., Friday, April 22, 2016.

## APPENDIX

### REPORT OF COMMITTEE MEETING

#### WAYS AND MEANS

**Convened:** Thursday, April 21, 2016, 12:55 p.m.

**Members Present:** Bolkcom, Chair; Allen, Vice Chair; Feenstra, Ranking Member; Anderson, Behn, Breitbach, Dotzler, Jochum, McCoy, Petersen, Quirnbach, Schultz, and Smith.

**Members Absent:** Hogg and Seng (both excused).

**Committee Business:** Passed HF 2446.

**Adjourned:** 1:00 p.m.

## INTRODUCTION OF BILL

**Senate File 2326**, by committee on Appropriations, a bill for an act relating to the funding of the statewide interoperable communications system and the expenditure of moneys from the E911 emergency communications fund.

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

## SUBCOMMITTEE ASSIGNMENT

## Senate File 2302

APPROPRIATIONS: Dvorsky, Chair; Danielson and Garrett

## FINAL COMMITTEE REPORTS OF BILL ACTION

## APPROPRIATIONS

**Bill Title:** \*SENATE FILE 2326 (SSB 3189), a bill for an act relating to the funding of the statewide interoperable communications system and the expenditure of moneys from the E911 emergency communications fund.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 21: Dvorsky, Danielson, Chapman, Bisignano, Bolkom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Kraayenbrink, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach. 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 Appropriations Committee on Senate File 2326, and they were attached to the committee report.

## ALSO:

**Bill Title:** HOUSE FILE 2459, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5157.

**Final Vote:** Ayes, 13: Dvorsky, Danielson, Bisignano, Bolkom, 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.

## ALSO:

**Bill Title:** HOUSE FILE 2460, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5158.



**Final Vote:** Ayes, 14: Dvorsky, Danielson, Bisignano, Bolkcom, Brase, Courtney, Dotzler, Hogg, Mathis, McCoy, Ragan, Schoenjahn, Segebart, and Wilhelm. Nays, 7: Chapman, Garrett, Kapucian, Kraayenbrink, Rozenboom, Schneider, and Zumbach. Absent, none.

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

## WAYS AND MEANS

**Bill Title:** HOUSE FILE 2446, a bill for an act relating to county medical examiner fees.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Jochum, McCoy, Petersen, Quirmbach, Schultz, and Smith. Nays, none. Absent, 2: Hogg and Seng.

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

## REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2314, the following correction was made:

1. A line break was added at Page 1, line 32.

MICHAEL E. MARSHALL  
Secretary of the Senate

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 21, 2016, the Governor approved and transmitted to the Secretary of State the following bills:

**Senate File 453** – Relating to the board of pharmacy, including nonresident pharmacy and outsourcing facility licensure, pharmacist supervision of pharmacy technicians, alternate board members, and enforcement authority.

**Senate File 2259** – Concerning treatment of a person with a serious mental impairment who fails to comply with an outpatient treatment order.

**Senate File 2306** – Establishing the facilitating business rapid response to state-declared disasters Act, and including effective date and retroactive applicability provisions.

## AMENDMENTS FILED

S-5154	H.F.	2458	Thomas G. Courtney
S-5155	H.F.	2394	House
S-5156	S.F.	2326	Jeff Danielson
S-5157	H.F.	2459	Appropriations
S-5158	H.F.	2460	Appropriations

# JOURNAL OF THE SENATE

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ONE HUNDRED THIRD CALENDAR DAY  
SIXTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, April 22, 2016

The Senate met in regular session at 9:08 a.m., President Jochum presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Emily Turek.

The Journal of Thursday, April 21, 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 April 21, 2016, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 2309**, a bill for an act providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date provisions.

ALSO: That the House has on April 21, 2016, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

**House File 2439**, a bill for an act relating to the distribution and permissible expenditures of the emergency communications service surcharge and the duties of the E911 communications council.

**House File 2443**, a bill for an act relating to the programs and duties of the economic development authority by making changes relative to the use of life cycle cost analyses, by making technical changes related to the high quality jobs program, by making changes relative to authority assistance for certain federal small business programs, by allowing counties, cities, and the authority to amend certain economic development enterprise zones agreements, and by making changes to the historic preservation and cultural and entertainment district tax credit, including transferring administrative oversight of the tax credit from the department of cultural affairs to the economic development authority, and including effective date provisions.

ALSO: That the House has on April 21, 2016, **amended and passed** the following bills in which the concurrence of the Senate is asked:

**Senate File 2187**, a bill for an act relating to the issuance of driver's licenses marked to reflect veteran status. (S-5163)

**Senate File 2320**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, the state aviation fund, and the federal surface transportation block grant program. (S-5162)

**Senate File 2323**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective and applicability date provisions. (S-5161)

ALSO: That the House has on April 21, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2452**, a bill for an act creating a geothermal tax credit available against the individual income tax and including effective date and applicability provisions.

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

**House File 2456**, a bill for an act relating to county levy authority for mental health and disability services funding.

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

The Senate stood at ease at 9:15 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:47 a.m., President Jochum presiding.

HOUSE AMENDMENT TO  
SENATE AMENDMENT CONSIDERED

**House File 2394**

Senator Gronstal called up for consideration **House File 2394**, a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties, amended by the Senate and further amended by the House in House amendment S-5155 to Senate amendment H-8197, filed April 21, 2016.

Senator Allen moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Allen moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2394), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith

Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2446.

#### **House File 2446**

On motion of Senator Allen, **House File 2446**, a bill for an act relating to county medical examiner fees, with report of committee recommending passage, was taken up for consideration.

Senator Allen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2446), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirmbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun

Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2394** and **2446** be **immediately messaged** to the House.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2326.

### Senate File 2326

On motion of Senator Danielson, **Senate File 2326**, a bill for an act relating to the funding of the statewide interoperable communications system and the expenditure of moneys from the E911 emergency communications fund, was taken up for consideration.

Senator Danielson withdrew amendment S-5156, filed by him on April 21, 2016, to page 1 of the bill.

Senator Danielson withdrew amendment S-5165, filed by him from the floor, to pages 1-2 of the bill.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2326), the vote was:

Yeas, 49:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Kraayenbrink	Sinclair
Bertrand	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, 1:

Bisignano

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2326** be **immediately messaged** to the House.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2459.

### House File 2459

On motion of Senator Dvorsky, **House File 2459**, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.



The Senate stood at ease at 11:16 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 11:32 a.m., President Jochum presiding.

Senator Dvorsky offered amendment S-5157, filed by the committee on Appropriations on April 21, 2016, striking and replacing everything after the enacting clause of the bill.

Senator Whitver offered amendment S-5169, filed by Senators Whitver, Zaun, and Schneider from the floor to page 1 of amendment S-5157, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5169 to amendment S-5154 be adopted?" (H.F. 2459), the vote was:

Yeas, 25:

Anderson	Dix	Rozenboom	Sodders
Behn	Feenstra	Schneider	Whitver
Bertrand	Garrett	Schultz	Zaun
Breitbach	Guth	Segebart	Zumbach
Chapman	Johnson	ShIPLEY	
Chelgren	Kapucian	Sinclair	
Costello	Kraayenbrink	Smith	

Nays, 25:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Taylor
Bowman	Gronstal	McCoy	Wilhelm
Brase	Hart	Petersen	
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	

Absent, none.

Amendment S-5169 to amendment S-5157 lost.

Senator Chelgren offered amendment S-5171, filed by him from the floor to page 7 of amendment S-5157.

Senator Dvorsky raised the point of order that amendment S-5171 to amendment S-5157 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5171 out of order.

Senator Bertrand offered amendment S-5168, filed by Senator Bertrand, et al., from the floor to pages 8 and 9 and amending the title page of amendment S-5157.

Senator Dvorsky raised the point of order that amendment S-5168 to amendment S-5157 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5168 out of order.

Senator Johnson offered amendment S-5159, filed by him from the floor to page 20 of amendment S-5157.

Senator Dvorsky raised the point of order that amendment S-5159 to amendment S-5157 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5159 out of order.

Senator Dvorsky withdrew amendment S-5160, filed by him from the floor to page 20 of amendment S-5157.

Senator Zaun offered amendment S-5167, filed by Senator Zaun, et al., from the floor to page 20 of amendment S-5157.

Senator Dvorsky raised the point of order that amendment S-5167 to amendment S-5157 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5167 out of order.

Senator Chelgren offered amendment S-5170, filed by him from the floor to page 20 of amendment S-5157.

Senator Dvorsky raised the point of order that amendment S-5170 to amendment S-5157 was not germane to the bill.

The Chair ruled the point well-taken and amendment S-5170 out of order.

Senator Dvorsky moved the adoption of amendment S-5157.

Amendment S-5157 was adopted by a voice vote.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2459), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Nays, 24:

Anderson	Costello	Kapucian	Shipley
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2459** be **immediately messaged** to the House.

UNFINISHED BUSINESS  
(Deferred April 21, 2016)

**House File 2458**

The Senate resumed consideration of **House File 2458**, a bill for an act relating to appropriations to the justice system, and amendment S-5154, deferred April 21, 2016.

Senator Courtney withdrew amendment S-5154, filed by him on April 21, 2016, to pages 3, 8-10, and 18 of the bill.

Senator Courtney offered amendment S-5173, filed by him from the floor to pages 3, 8-10, 18, and 22 of the bill, and moved its adoption.

Amendment S-5173 was adopted by a voice vote.

Senator Courtney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2458), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	

Nays, 24:

Anderson	Costello	Kapucian	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## WITHDRAWN

Senator Courtney asked and received unanimous consent that **Senate File 2322** be **withdrawn** from further consideration of the Senate.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2458** be **immediately messaged** to the House.

CONSIDERATION OF BILL  
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2460.

**House File 2460**

On motion of Senator Ragan, **House File 2460**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Ragan offered amendment S-5158, filed by the committee on Appropriations on April 21, 2016, striking and replacing everything after the enacting clause of the bill.

Senator Rozenboom offered amendment S-5172, filed by Senator Rozenboom, et al., from the floor to pages 38, 41-42, 47, 49, and 93 of amendment S-5158, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5172 to amendment S-5158 be adopted?" (H.F. 2460), the vote was:

Yeas, 25:

Anderson	Dix	Rozenboom	Smith
Behn	Feenstra	Schneider	Whitver
Bertrand	Garrett	Schultz	Zaun
Breitbach	Guth	Segebart	Zumbach

Chapman	Johnson	Seng
Chelgren	Kapucian	ShIPLEY
Costello	Kraayenbrink	Sinclair

Nays, 25:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Sodders
Bolkcom	Dvorsky	Mathis	Taylor
Bowman	Gronstal	McCoy	Wilhelm
Brase	Hart	Petersen	
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Absent, none.

Amendment S-5172 to amendment S-5158 lost.

Senator Ragan offered amendment S-5164, filed by her from the floor to page 89 of amendment S-5158, and moved its adoption.

Amendment S-5164 to amendment S-5158 was adopted by a voice vote.

Senator Petersen offered amendment S-5166, filed by her from the floor to page 113 of amendment S-5158, and moved its adoption.

Amendment S-5166 to amendment S-5158 was adopted by a voice vote.

Senator Ragan moved the adoption of amendment S-5158, as amended.

Amendment S-5158 was adopted by a voice vote.

Senator Ragan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2460), the vote was:

Yeas, 27:

Allen	Dearden	Horn	Ragan
Bisignano	Dix	Jochum	Schoenjahn
Bolkcom	Dotzler	Kinney	Seng

Bowman	Dvorsky	Mathis	Sodders
Brase	Gronstal	McCoy	Taylor
Courtney	Hart	Petersen	Wilhelm
Danielson	Hogg	Quirnbach	

Nays, 23:

Anderson	Costello	Kraayenbrink	Sinclair
Behn	Feenstra	Rozenboom	Smith
Bertrand	Garrett	Schneider	Whitver
Breitbach	Guth	Schultz	Zaun
Chapman	Johnson	Segebart	Zumbach
Chelgren	Kapucian	Shipley	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2460** be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:29 p.m. until 1:00 p.m., Monday, April 25, 2016.

## APPENDIX

### CERTIFICATE OF RECOGNITION

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

Hardacre Theater, Tipton—For celebrating their 100<sup>th</sup> anniversary. Senator Dvorsky.

### STUDY BILL RECEIVED

#### **SSB 3190      Ways and Means**

Relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive applicability provisions.

### SUBCOMMITTEE ASSIGNMENT

#### SSB 3190

WAYS AND MEANS: Bolkcom, Chair; Allen and Feenstra

### EXPLANATION OF VOTE

MADAM PRESIDENT: I was present in the Senate Chamber on Friday, April 22, 2016, when the vote was taken on House File 2460. I was present and I voted “Yea.” My vote yea represented an inadvertent and accidental use of the green button (Yea), when in fact I had intended to utilize the red button (Nay) in the vote. The President of the Senate had closed the voting system prior to my being able to change my vote. Let it herein be noted that I was not in favor of final passage of House File 2460.

BILL DIX

### AMENDMENTS FILED

S-5159	H.F.	2459	David Johnson
S-5160	H.F.	2459	Robert E. Dvorsky



S-5161	S.F.	2323	House
S-5162	S.F.	2320	House
S-5163	S.F.	2187	House
S-5164	H.F.	2460	Amanda Ragan
S-5165	S.F.	2326	Jeff Danielson
S-5166	H.F.	2460	Janet Petersen
S-5167	H.F.	2459	Brad Zaun
			David Johnson
			Mark Segebart
			Ken Rozenboom
			Mark Chelgren
			Michael Breitbach
			Jack Whitver
			Jerry Behn
			Amy Sinclair
			Mark Costello
			Charles Schneider
			Julian B. Garrett
			Jason Schultz
			Dennis Guth
			Randy Feenstra
			Bill Anderson
			Jake Chapman
			Rick Bertrand
			Tom Shipley
S-5168	H.F.	2459	Rick Bertrand
			Bill Anderson
			Jake Chapman
			Timothy J. Kraayenbrink
			Tim L. Kapucian
			Mark Segebart
			Ken Rozenboom
			Mark Chelgren
			Michael Breitbach
			Jack Whitver
			Jason Schultz
			Amy Sinclair
			Mark Costello
			Dennis Guth
			Brad Zaun
			Roby Smith

S-5169	H.F.	2459	Tom Shipley Charles Schneider Jack Whitver Brad Zaun Charles Schneider
S-5170	H.F.	2459	Mark Chelgren
S-5171	H.F.	2459	Mark Chelgren
S-5172	H.F.	2460	Ken Rozenboom Mark Segebart Jake Chapman Dennis Guth Amy Sinclair David Johnson Jason Schultz Randy Feenstra
S-5173	H.F.	2458	Thomas G. Courtney

# JOURNAL OF THE SENATE

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ONE HUNDRED SIXTH CALENDAR DAY  
SIXTY-THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, April 25, 2016

The Senate met in regular session at 1:03 p.m., President Jochum presiding.

The Journal of Friday, April 22, 2016, was approved.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 1:04 p.m. until 4:30 p.m.

## RECONVENED

The Senate reconvened at 5:06 p.m., President Jochum presiding.

## 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 April 25, 2016, **amended and passed** the following bill in which the concurrence of the Senate is asked:

**Senate File 2324**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions. (S-5174)

ALSO: That the House has on April 25, 2016, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

**House File 2460**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions.

#### HOUSE AMENDMENT CONSIDERED

##### **Senate File 2320**

Senator Gronstal called up for consideration **Senate File 2320**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, the state aviation fund, and the federal surface transportation block grant program, amended by the House in House amendment S-5162, filed April 22, 2016.

Senator Gronstal moved that the Senate concur in the House amendment and requested a no vote.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment.

#### SENATE INSISTS

##### **House File 2460**

Senator Gronstal called up for consideration **House File 2460**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

## HOUSE AMENDMENT CONSIDERED

**Senate File 2324**

Senator Gronstal called up for consideration **Senate File 2324**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions, amended by the House in House amendment S-5174, filed April 25, 2016.

Senator Gronstal moved that the Senate concur in the House amendment and requested a no vote.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2320** and **2324** and **House File 2460** be **immediately messaged** to the House.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 2460** on the part of the Senate: Senators Ragan, Chair; Bolcom, Costello, Dvorsky, and Johnson.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:08 p.m. until 9:00 a.m., Tuesday, April 26, 2016.

**APPENDIX****CERTIFICATE OF RECOGNITION**

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

Salvator Arzani of Interstate 35 High School of Truro—For his 2016 Class 1A state wrestling championship in the 160 pound division. Senator Chapman.

**SUBCOMMITTEE ASSIGNMENTS****House File 2452**

WAYS AND MEANS: Hogg, Chair; Allen and Anderson

**House File 2456**

WAYS AND MEANS: Bolkcom, Chair; Feenstra and Petersen

**AMENDMENT FILED**

S-5174      S.F.      2324      House

# JOURNAL OF THE SENATE

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ONE HUNDRED SEVENTH CALENDAR DAY  
SIXTY-FOURTH SESSION DAY

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

The Senate met in regular session at 9:09 a.m., President Jochum presiding.

The Journal of Monday, April 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 April 25, 2016, **passed** the following bills in which the concurrence of the House was asked:

**Senate File 2301**, a bill for an act relating to the Iowa educational savings plan trust and including effective date and retroactive applicability provisions.

**Senate File 2311**, a bill for an act relating to the department of public defense by providing for the gold star military museum.

**Senate File 2312**, a bill for an act modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site.

**Senate File 2313**, a bill for an act relating to employment services programs administered by the department of workforce development by providing for conformity with federal law concerning the workforce development board, authorizing the department to carry out certain actions relating to the unemployment insurance program, making an appropriation, and including effective date provisions.

ALSO: That the House has on April 25, 2016, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

**House File 2449**, a bill for an act concerning the implementation and administration of Acts of the general assembly through administrative rulemakings and including effective date and applicability provisions.

**House File 2455**, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions.

ALSO: That the House has on April 25, 2016, **amended and passed** the following bills in which the concurrence of the Senate is asked:

**Senate File 2188**, a bill for an act relating to prescription authority for certain psychologists and making penalties applicable. (S-5175)

**Senate File 2308**, a bill for an act relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, making appropriations, and including transition provisions. (S-5176)

ALSO: That the House has on April 25, 2016, **insisted** on its amendment to **Senate File 2320**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, the state aviation fund, and the federal surface transportation block grant program, and the Conference Committee members on the part of the House are: the representative from Cherokee, Representative Huseman, Chair; the representative from Crawford, Representative Holt; the representative from Mahaska, Representative Vander Linden; the representative from Scott; Representative Lykam; and the representative from Des Moines, Representative Cohoon.



ALSO: That the House has on April 25, 2016, **insisted** on its amendment to **Senate File 2324**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions, and the Conference Committee members on the part of the House are: the representative from Cherokee, Representative Huseman, Chair; the representative from Crawford, Representative Holt; the representative from Mahaska, Representative Vander Linden; the representative from Scott; Representative Lykam; and the representative from Des Moines, Representative Cohoon.

ALSO: That the House has on April 25, 2016, appointed the conference committee to **House File 2460**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions, and the Conference Committee members on the part of the House are: the representative from Henry, Representative Heaton, Chair; the representative from Scott, Representative Miller, L.; the representative from Clarke, Representative Fry; the representative from Story; Representative Heddens; and the representative from Story, Representative Wessel-Kroeschell.

ALSO: That the House has on April 25, 2016, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2464**, a bill for an act relating to environmental protection by modifying and eliminating allocations from the statutory allocations fund to the Iowa comprehensive petroleum underground storage tank fund and the renewable fuel infrastructure fund, making related changes, including changes related to the repeal of the environmental protection charge on petroleum diminution, and including effective date provisions.

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

#### APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the following conference committee on **Senate File 2320** on the part of the Senate: Senators McCoy, Chair; Bowman, Petersen, Kapucian, and Schneider.

The Chair announced the following conference committee on **Senate File 2324** on the part of the Senate: Senators McCoy, Chair; Anderson, Bowman, Chapman, and Petersen.

#### IMMEDIATELY MESSAGED

**Senate Files 2320** and **2324** were **immediately messaged** to the House.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 9:14 a.m. until 11:00 a.m.

## RECONVENED

The Senate reconvened at 12:06 p.m., President Jochum presiding.

## HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 26, 2016, **amended** the Senate amendment, **concurred** in the Senate amendment as amended, **and passed** the following bill in which the concurrence of the Senate is asked:

**House File 2459**, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions. (S-5177)

HOUSE AMENDMENT TO  
SENATE AMENDMENT CONSIDERED**House File 2459**

Senator Gronstal called up for consideration **House File 2459**, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions, amended by the Senate and further amended by the House in House amendment S-5177 to Senate amendment H-8278, filed April 26, 2016.

Senator Gronstal moved that the Senate concur in the House amendment to the Senate amendment and requested a no vote.

The motion failed by a voice vote and the Senate **refused to concur** in the House amendment to the Senate amendment.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2459** be **immediately messaged** to the House.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 12:07 p.m. until 4:00 p.m.

## RECONVENED

The Senate reconvened at 4:14 p.m., President Jochum presiding.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:15 p.m. until 10:00 a.m., Wednesday, April 27, 2016.

## APPENDIX

### CERTIFICATES OF RECOGNITION

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

Deborah K. Cardin, CEO of Jefferson County Health Center—Upon her retirement after 17 years of service. Senator Chapman.

Tyler Watermillier—For achieving the rank of Eagle Scout, Troop #1401. Senator Ragan.

### SUBCOMMITTEE ASSIGNMENT

#### House File 2464

WAYS AND MEANS: Hogg, Chair; Bolkcom and Feenstra

### AMENDMENTS FILED

S-5175	S.F.	2188	House
S-5176	S.F.	2308	House
S-5177	H.F.	2459	House

# JOURNAL OF THE SENATE

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ONE HUNDRED EIGHTH CALENDAR DAY  
SIXTY-FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, April 27, 2016

The Senate met in regular session at 10:01 a.m., President Jochum presiding.

Prayer was offered by Pastor Mike Eells of the Atlantic Gospel Chapel in Atlantic, Iowa. He was the guest of Senator Costello.

## PLEDGE OF ALLEGIANCE

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

The Journal of Tuesday, April 26, 2016, was approved.

The Senate stood at ease at 10:13 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:35 a.m., President Jochum presiding.

## HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 27, 2016, **insisted** on its amendment to **House File 2459**, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions, and the Conference Committee members on the part of the House are: the representative from Cerro Gordo, Representative Upmeyer, Chair; the representative from Polk, Representative Hagenow; the representative from Butler, Representative Grassley; the representative from Woodbury; Representative Hall; and the representative from Polk, Representative Oldson.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 2459** on the part of the Senate: Senators Dvorsky, Chair; Dix, Gronstal, Jochum, and Whitver.

## IMMEDIATELY MESSAGED

**House File 2459** was **immediately messaged** to the House.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zaun, until he arrives, on request of Senator Dix.

## HOUSE AMENDMENTS CONSIDERED

**Senate File 2308**

Senator Gronstal called up for consideration **Senate File 2308**, a bill for an act relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, making appropriations, and including transition provisions, amended by the House in House amendment S-5176, filed April 26, 2016.

Senator Dotzler moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Dotzler moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2308), the vote was:

Yeas, 49:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hogg	Schneider	
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### Senate File 2323

Senator Gronstal called up for consideration **Senate File 2323**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective and applicability date provisions, amended by the House in House amendment S-5161, filed April 22, 2016.

Senator Schoenjahn moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Schoenjahn moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2323), the vote was:

Yeas, 27:

Allen	Danielson	Horn	Ragan
Bertrand	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	

Nays, 22:

Anderson	Dix	Kraayenbrink	Sinclair
Behn	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zumbach
Chelgren	Johnson	Segebart	
Costello	Kapucian	Shipley	

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2436.

#### **House File 2436**

On motion of Senator McCoy, **House File 2436**, a bill for an act relating to real estate appraisal, including by requiring the superintendent of banking to regulate appraisal management companies and supervise the Iowa real estate appraiser board, making penalties applicable, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2436), the vote was:

Yeas, 49:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hogg	Schneider	
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2308 and 2323 and House File 2436 be immediately messaged** to the House.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 10:49 a.m. until 1:00 p.m.

#### RECONVENED

The Senate reconvened at 1:08 p.m., President Jochum presiding.



The Senate stood at ease at 1:09 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:37 p.m., President Jochum presiding.

## HOUSE AMENDMENTS CONSIDERED

### Senate File 2187

Senator Gronstal called up for consideration **Senate File 2187**, a bill for an act relating to the issuance of driver's licenses marked to reflect veteran status, amended by the House in House amendment S-5163, filed April 22, 2016.

Senator Horn moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Horn moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2187), the vote was:

Yeas, 49:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Soddars
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hogg	Schneider	
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### Senate File 2188

Senator Gronstal called up for consideration **Senate File 2188**, a bill for an act relating to prescription authority for certain psychologists and making penalties applicable, amended by the House in House amendment S-5175, filed April 26, 2016.

Senator Bolkcom moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Bolkcom moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2188), the vote was:

Yeas, 33:

Allen	Dvorsky	Mathis	Shipley
Bisignano	Feenstra	McCoy	Sinclair
Bolkcom	Gronstal	Petersen	Smith
Bowman	Hart	Quirnbach	Sodders
Brase	Hogg	Ragan	Taylor
Costello	Horn	Schoenjahn	Wilhelm
Courtney	Jochum	Schultz	
Dearden	Johnson	Segebart	
Dotzler	Kraayenbrink	Seng	

Nays, 16:

Anderson	Chapman	Garrett	Rozenboom
Behn	Chelgren	Guth	Schneider
Bertrand	Danielson	Kapucian	Whitver
Breitbach	Dix	Kinney	Zumbach

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## CONFERENCE COMMITTEE REPORT RECEIVED

### Senate File 2324

A conference committee report, signed by the following Senate and House members, was filed April 27, 2016, on **Senate File 2324**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions:

On the part of the Senate:

MATT MCCOY, Chair  
TOD R. BOWMAN  
JANET PETERSEN

On the part of the House:

DAN HUSEMAN, Chair  
DENNIS COHOON  
STEVE HOLT  
JIM LYKAM  
GUY VANDER LINDEN

## CONFERENCE COMMITTEE REPORT CONSIDERED

### Senate File 2324

Senator Gronstal called up the conference committee report on **Senate File 2324**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions, filed on April 27, 2016, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2324), the vote was:

Yeas, 27:

Allen	Dearden	Jochum	Ragan
Bisignano	Dotzler	Johnson	Schoenjahn
Bolkcom	Dvorsky	Kinney	Seng
Bowman	Gronstal	Mathis	Sodders
Brase	Hart	McCoy	Taylor
Courtney	Hogg	Petersen	Wilhelm
Danielson	Horn	Quirmbach	

Nays, 22:

Anderson	Costello	Kraayenbrink	Sinclair
Behn	Dix	Rozenboom	Smith
Bertrand	Feenstra	Schneider	Whitver
Breitbach	Garrett	Schultz	Zumbach
Chapman	Guth	Segebart	
Chelgren	Kapucian	Shipley	

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## FINAL COMMITTEE REPORT OF BILL ACTION

### WAYS AND MEANS

**Bill Title:** HOUSE FILE 2464, a bill for an act relating to environmental protection by modifying and eliminating allocations from the statutory allocations fund to the Iowa comprehensive petroleum underground storage tank fund and the renewable fuel infrastructure fund, making related changes, including changes related to the repeal of the environmental protection charge on petroleum diminution, and including effective date provisions.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith. Nays, none. Absent, none.

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

**CONSIDERATION OF BILL**  
**(Ways and Means Calendar)**

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2464.

**House File 2464**

On motion of Senator Hogg, **House File 2464**, a bill for an act relating to environmental protection by modifying and eliminating allocations from the statutory allocations fund to the Iowa comprehensive petroleum underground storage tank fund and the renewable fuel infrastructure fund, making related changes, including changes related to the repeal of the environmental protection charge on petroleum diminution, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2464), the vote was:

Yeas, 49:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hogg	Schneider	
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, 1:

Zaun

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2187, 2188, and 2324** and **House File 2464** be **immediately messaged** to the House.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 2:15 p.m. until 4:00 p.m.

## RECONVENED

The Senate reconvened at 4:09 p.m., President Jochum presiding.

## 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 April 27, 2016, **adopted** the conference committee report **and passed Senate File 2324**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions.

ALSO: That the House has on April 27, 2016, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 2326**, a bill for an act relating to the funding of the statewide interoperable communications system and the expenditure of moneys from the E911 emergency communications fund.

ALSO: That the House has on April 27, 2016, **amended** the Senate amendment, **concurred** in the Senate amendment as amended, and **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2064**, a bill for an act relating to the criminal offense of child endangerment resulting in the death of a child or minor, and providing penalties. (S-5179)

The Senate stood at ease at 4:10 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:41 p.m., President Jochum presiding.

### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bertrand and Chelgren, until they return, on request of Senator Dix.

### CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2421.

#### **House File 2421**

On motion of Senator Bowman, **House File 2421**, a bill for an act relating to coaching authorizations issued by the board of educational examiners and to certain emergency medical procedures training requirements, and including applicability provisions, placed on the Unfinished Business Calendar on March 17, 2016, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bowman offered amendment S-5080, filed by the committee on Education on March 10, 2016, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment S-5080 was adopted by a voice vote.

Senator Bowman offered amendment S-5178, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment S-5178 was adopted by a voice vote.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2421), the vote was:

Yeas, 34:

Allen	Dotzler	Kinney	Shipley
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Gronstal	McCoy	Sodders
Bowman	Hart	Petersen	Taylor
Brase	Hogg	Quirnbach	Whitver
Breitbach	Horn	Ragan	Wilhelm
Courtney	Jochum	Schoenjahn	Zumbach
Danielson	Johnson	Segebart	
Dearden	Kapucian	Seng	

Nays, 13:

Anderson	Dix	Kraayenbrink	Sinclair
Behn	Feenstra	Rozenboom	
Chapman	Garrett	Schneider	
Costello	Guth	Schultz	

Absent, 3:

Bertrand	Chelgren	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

## HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

### House File 2064

Senator Gronstal called up for consideration **House File 2064**, a bill for an act relating to the criminal offense of child endangerment resulting in the death of a child or minor, and providing penalties, amended by the Senate and further amended by the House in House amendment S-5179 to Senate amendment H-8196, filed April 27, 2016.

Senator Sodders moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.



Senator Sodders moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2064), the vote was:

Yeas, 28:

Allen	Dearden	Jochum	Ragan
Bisignano	Dotzler	Kinney	Schoenjahn
Bolkcom	Dvorsky	Kraayenbrink	Seng
Bowman	Gronstal	Mathis	Sinclair
Brase	Hart	McCoy	Sodders
Courtney	Hogg	Petersen	Taylor
Danielson	Horn	Quirmbach	Wilhelm

Nays, 19:

Anderson	Dix	Kapucian	Shipley
Behn	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zumbach
Costello	Johnson	Segebart	

Absent, 3:

Bertrand	Chelgren	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2064** and **2421** be **immediately messaged** to the House.

The Senate stood at ease at 4:58 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 5:45 p.m., President Jochum presiding.

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 115.

**Senate Resolution 115**

On motion of Senator Hogg, **Senate Resolution 115**, a resolution in support of the Jewish State of Israel and a negotiated settlement resulting in a Palestinian State, was taken up for consideration.

Senator Hogg moved the adoption of Senate Resolution 115, which motion prevailed by a voice vote.

UNFINISHED BUSINESS  
(Deferred March 3, 2016)

**Senate File 2281**

The Senate resumed consideration of **Senate File 2281**, a bill for an act concerning investment of certain public funds in and public contracts with companies that boycott Israel, deferred March 3, 2016.

Senator Danielson asked and received unanimous consent that **House File 2331** be **substituted** for **Senate File 2281**.

**House File 2331**

On motion of Senator Danielson, **House File 2331**, a bill for an act concerning investment of certain public funds in and public contracts with companies that boycott Israel, was taken up for consideration.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2331), the vote was:

Yeas, 38:

Allen	Dix	Kapucian	Seng
Anderson	Dotzler	Kraayenbrink	Shipley
Behn	Feenstra	Mathis	Sinclair
Bisignano	Garrett	McCoy	Smith

Bowman	Gronstal	Ragan	Sodders
Breitbach	Guth	Rozenboom	Whitver
Chapman	Hart	Schneider	Wilhelm
Costello	Horn	Schoenjahn	Zumbach
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, 9:

Bolkcom	Dvorsky	Petersen
Brase	Hogg	Quirnbach
Dearden	Kinney	Taylor

Absent, 3:

Bertrand	Chelgren	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### WITHDRAWN

Senator Danielson asked and received unanimous consent that **Senate File 2281** be **withdrawn** from further consideration of the Senate.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2331** be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:02 p.m. until 9:00 a.m., Thursday, April 28, 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 LOTTERY AUTHORITY

Quarterly Report for Quarter Ending 3/31/16, pursuant to Iowa Code section 99G.7. Report received on April 27, 2016.

#### BOARD OF REGENTS

Gifts and Grants Monthly Report for March 2016, pursuant to Iowa Code section 8.44. Report received on April 27, 2016.

### REPORT OF COMMITTEE MEETING

#### WAYS AND MEANS

**Convened:** Wednesday, April 27, 2016, 11:35 a.m.

**Recessed:** 11:40 a.m.

**Reconvened:** 12:15 p.m.

**Members Present:** Bolkcom, Chair; Allen, Vice Chair; Feenstra, Ranking Member; Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Schultz, Seng, and Smith.

**Members Absent:** None.

**Committee Business:** Deferred SF 2113 and HF 2456; passed HF 2464; and approved SSB 3190, as amended.

**Adjourned:** 12:20 p.m.

## INTRODUCTION OF BILL

**Senate File 2327**, by committee on Ways and Means, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions.

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

## FINAL COMMITTEE REPORT OF BILL ACTION

### WAYS AND MEANS

**Bill Title:** \*SENATE FILE 2327 (SSB 3190), a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Bolkcom, Allen, Feenstra, Anderson, Behn, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Schultz, Seng, 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 Ways and Means Committee on Senate File 2327, and they were attached to the committee report.

## AMENDMENTS FILED

S-5178	H.F.	2421	Tod R. Bowman
S-5179	H.F.	2064	House

# JOURNAL OF THE SENATE

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ONE HUNDRED NINTH CALENDAR DAY  
SIXTY-SIXTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, April 28, 2016

The Senate met in regular session at 9:11 a.m., President Jochum presiding.

A moment of silence was observed by the Senate.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Jochum.

The Journal of Wednesday, April 27, 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 April 27, 2016, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 2316**, a bill for an act relating to the collection of delinquent court debt and associated installment agreements.

ALSO: That the House has on April 27, 2016, **concurred** in the Senate amendment and **passed** the following bill in which the concurrence of the House was asked:

**House File 493**, a bill for an act relating to the right of residents, owners, tenants, and landlords to summon emergency assistance and preempting related local ordinances, rules, and regulations.

ALSO: That the House has on April 27, 2016, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 2468**, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions.

Read first time and attached to **similar Senate File 2327**.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 9:13 a.m. until 1:00 p.m.

#### RECONVENED

The Senate reconvened at 1:08 p.m., President Jochum presiding.

The Senate stood at ease at 1:09 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:45 p.m., President Jochum presiding.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bertrand, Chelgren, and Zaun, until they arrive, on request of Senator Dix.

## CONFERENCE COMMITTEE REPORT RECEIVED

### Senate File 2304

A conference committee report, signed by the following Senate and House members, was filed April 28, 2016, on **Senate File 2304**, a bill for an act relating to standards for and certification and inspection of children's residential facilities:

On the part of the Senate:

ROBERT M. HOGG, Chair  
 JOE BOLKCOM  
 TIM KRAAYENBRINK  
 HERMAN C. QUIRMBACH  
 AMY SINCLAIR

On the part of the House:

BOBBY KAUFMANN, Chair  
 RUTH ANN GAINES  
 GREG HEARTSILL  
 JAKE HIGHFILL  
 VICKI LENSING

## CONFERENCE COMMITTEE REPORT CONSIDERED

### Senate File 2304

Senator Gronstal called up the conference committee report on **Senate File 2304**, a bill for an act relating to standards for and certification and inspection of children's residential facilities, filed on April 28, 2016, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2304), the vote was:

Yeas, 47:

Allen	Dearden	Johnson	Schultz
Anderson	Dix	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders



Breitbach	Guth	Quirnbach	Taylor
Chapman	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zumbach
Danielson	Jochum	Schoenjahn	

Nays, none.

Absent, 3:

Bertrand	Chelgren	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2304** be **immediately messaged** to the House.

### HOUSE AMENDMENT CONSIDERED

#### **Senate File 2109**

Senator Gronstal called up for consideration **Senate File 2109**, a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions, amended by the House in House amendment S-5107, filed March 31, 2016.

Senator Dvorsky moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Dvorsky moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2109), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Nays, 21:

Anderson	Feenstra	Rozenboom	Smith
Behn	Garrett	Schneider	Whitver
Breitbach	Guth	Schultz	Zumbach
Chapman	Johnson	Segebart	
Costello	Kapucian	Shipley	
Dix	Kraayenbrink	Sinclair	

Absent, 3:

Bertrand	Chelgren	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

The Senate stood at ease at 1:54 p.m. until the fall of the gavel.

The Senate resumed session at 2:36 p.m., President Jochum presiding.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 2:37 p.m. until 5:00 p.m.

## RECONVENED

The Senate reconvened at 5:03 p.m., President Jochum presiding.

## 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 April 28, 2016, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 2299**, a bill for an act relating to the early childhood Iowa initiative.

ALSO: That the House has on April 28, 2016, **adopted** the conference committee report **and passed Senate File 2304**, a bill for an act relating to standards for and certification and inspection of children's residential facilities.

ALSO: That the House has on April 28, 2016, **amended and passed** the following bill in which the concurrence of the Senate is asked:

**Senate File 492**, a bill for an act creating a disaster case management grant fund and program. (S-5181)

The Senate stood at ease at 5:04 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 5:59 p.m., President Jochum presiding.

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2327.

**Senate File 2327**

On motion of Senator Bolkcom, **Senate File 2327**, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax

exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions, was taken up for consideration.

Senator Bolkcom offered amendment S–5180, filed by him from the floor to pages 4–8 of the bill, and moved its adoption.

Amendment S–5180 was adopted by a voice vote.

Senator Bolkcom asked and received unanimous consent that **House File 2468** be **substituted** for **Senate File 2327**.

### **House File 2468**

On motion of Senator Bolkcom, **House File 2468**, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions, was taken up for consideration.

Senator Bolkcom offered amendment S–5183, filed by him from the floor to pages 1, 6, 7, and amending the title page of the bill, and moved its adoption.

Amendment S–5183 was adopted by a voice vote.

Senator Bolkcom offered amendment S–5182, filed by him from the floor to pages 4–7 of the bill, and moved its adoption.

Amendment S–5182 was adopted by a voice vote.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2468), the vote was:

Yeas, 48:

Allen	Dearden	Johnson	Schultz
Anderson	Dix	Kapucian	Segebart
Behn	Dotzler	Kinney	Seng
Bisignano	Dvorsky	Kraayenbrink	Shipley
Bolkcom	Feenstra	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirmbach	Taylor
Chapman	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zaun
Danielson	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 2:

Bertrand                      Chelgren

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

#### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2468** be **immediately messaged** to the House.

#### WITHDRAWN

Senator Bolkcom asked and received unanimous consent that **Senate File 2327** be **withdrawn** from further consideration of the Senate.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 6:08 p.m. until 7:30 p.m.

#### RECONVENED

The Senate reconvened at 8:15 p.m., President Jochum presiding.

## RECESS

On motion of Senator Dotzler, the Senate recessed at 8:16 p.m. until the completion of a meeting of the committee on Appropriations.

## RECONVENED

The Senate reconvened at 10:24 p.m., President Jochum presiding.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Feenstra and Kraayenbrink, until they return, on request of Senator Dix.

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate File 2325.

**Senate File 2325**

On motion of Senator Dotzler, **Senate File 2325**, a bill for an act amending the sales and use tax exemption for the sale of goods and services furnished in fulfillment of a written construction contract with a nonprofit hospital, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Brase offered amendment S-5185, filed by Senators Brase and Smith from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment S-5185 was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2325), the vote was:

Yeas, 46:

Allen	Dearden	Kapucian	Seng
Anderson	Dix	Kinney	Shiple
Behn	Dotzler	Mathis	Sinclair
Bisignano	Dvorsky	McCoy	Smith
Bolkcom	Garrett	Petersen	Sodders
Bowman	Gronstal	Quirnbach	Taylor
Brase	Guth	Ragan	Whitver
Breitbach	Hart	Rozenboom	Wilhelm
Chapman	Hogg	Schneider	Zaun
Costello	Horn	Schoenjahn	Zumbach
Courtney	Jochum	Schultz	
Danielson	Johnson	Segebart	

Nays, none.

Absent, 4:

Bertrand	Chelgren	Feenstra	Kraayenbrink
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2325** be **immediately messaged** to the House.

The Senate stood at ease at 10:32 p.m. until the fall of the gavel.

The Senate resumed session at 10:54 p.m., President Jochum presiding.

### ADJOURNMENT

On motion of Senator Dotzler, the Senate adjourned at 10:55 p.m. until 10:00 a.m., Friday, April 29, 2016.

## APPENDIX

### REPORT OF COMMITTEE MEETING

#### APPROPRIATIONS

**Convened:** Thursday, April 28, 2016, 9:00 p.m.

**Members Present:** Dvorsky, Chair; Danielson, Vice Chair; Chapman, Ranking Member; Bisignano, Bolkom, Brase, Courtney, Dotzler, Garrett, Hogg, Kapucian, Mathis, McCoy, Ragan, Rozenboom, Schneider, Schoenjahn, Segebart, Wilhelm, and Zumbach.

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

**Committee Business:** Passed HF 2432, as amended.

**Adjourned:** 9:10 p.m.

### FINAL COMMITTEE REPORT OF BILL ACTION

#### APPROPRIATIONS

**Bill Title:** HOUSE FILE 2432, a bill for an act relating to salaries and apportionment of judicial officers and including effective date provisions.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5184.

**Final Vote:** Ayes, 13: Dvorsky, Danielson, Bisignano, Bolkom, Brase, Courtney, Dotzler, Hogg, Mathis, McCoy, Ragan, Schoenjahn, and Wilhelm. Nays, 7: Chapman, Garrett, Kapucian, Rozenboom, Schneider, Segebart, and Zumbach. Absent, 1: Kraayenbrink.

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

### MOTION TO RECONSIDER FILED

MADAM PRESIDENT, I move to reconsider the vote by which Senate File 2109 passed the Senate on Thursday, April 28, 2016.

ROBERT E. DVORSKY

### AMENDMENTS FILED

S-5180	S.F.	2327	Joe Bolkom
S-5181	S.F.	492	House
S-5182	H.F.	2468	Joe Bolkom
S-5183	H.F.	2468	Joe Bolkom
S-5184	H.F.	2432	Appropriations
S-5185	S.F.	2325	Chris Brase Roby Smith



# JOURNAL OF THE SENATE

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ONE HUNDRED TENTH CALENDAR DAY  
SIXTY-SEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, April 29, 2016

The Senate met in regular session at 10:07 a.m., President Jochum presiding.

A moment of silence was observed by the Senate.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President Jochum.

The Journal of Thursday, April 28, 2016, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Chelgren, Kraayenbrink, and Schultz, until they arrive, on request of Senator Dix.

## RECESS

On motion of Senator Soddors, the Senate recessed at 10:09 a.m. until 1:00 p.m.

## RECONVENED

The Senate reconvened at 1:10 p.m., President Jochum presiding.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Behn, Bertrand, and Feenstra, until they arrive, on request of Senator Dix.

## HOUSE AMENDMENT CONSIDERED

**Senate File 492**

Senator Dotzler called up for consideration **Senate File 492**, a bill for an act creating a disaster case management grant fund and program, amended by the House in House amendment S-5181, filed April 28, 2016.

Senator Ragan moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Ragan moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 492), the vote was:

Yeas, 44:

Allen	Dearden	Johnson	Segebart
Anderson	Dix	Kapucian	Seng
Bisignano	Dotzler	Kinney	Shipley
Bolkcom	Dvorsky	Mathis	Sinclair
Bowman	Garrett	McCoy	Smith
Brase	Gronstal	Petersen	Sodders
Breitbach	Guth	Quirmbach	Taylor
Chapman	Hart	Ragan	Whitver
Costello	Hogg	Rozenboom	Wilhelm
Courtney	Horn	Schneider	Zaun
Danielson	Jochum	Schoenjahn	Zumbach

Nays, none.

Absent, 6:

Behn	Chelgren	Kraayenbrink
Bertrand	Feenstra	Schultz

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

**IMMEDIATELY MESSAGED**

Senator Dotzler asked and received unanimous consent that **Senate File 492** be **immediately messaged** to the House.

The Senate stood at ease at 1:18 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:08 p.m., President Jochum presiding.

**RECESS**

On motion of Senator McCoy, the Senate recessed at 2:09 p.m. until the completion of a meeting of the committee on Ways and Means.

**RECONVENED**

The Senate reconvened at 3:50 p.m., President Jochum presiding.

**FINAL COMMITTEE REPORT OF BILL ACTION****WAYS AND MEANS**

**Bill Title:** HOUSE FILE 2456, a bill for an act relating to county levy authority for mental health and disability services funding.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Bolkcom, Allen, Anderson, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirmbach, Seng, and Smith. Nays, none. Absent, 3: Feenstra, Behn, and Schultz.

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

**CONSIDERATION OF BILL  
(Ways and Means Calendar)**

Senator Gronstal asked and received unanimous consent to take up for consideration House File 2456.

**House File 2456**

On motion of Senator Bolkcom, **House File 2456**, a bill for an act relating to county levy authority for mental health and disability services funding, with report of committee recommending passage, was taken up for consideration.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2456), the vote was:

Yeas, 45:

Allen	Dearden	Kapucian	Shipley
Anderson	Dix	Kinney	Sinclair
Behn	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Segebart	
Danielson	Johnson	Seng	

Nays, none.

Absent, 5:

Bertrand	Feenstra	Schultz
Chelgren	Kraayenbrink	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## CONFERENCE COMMITTEE REPORT RECEIVED

### Senate File 2320

A conference committee report, signed by the following Senate and House members, was filed April 29, 2016, on **Senate File 2320**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, the state aviation fund, and the federal surface transportation block grant program:

On the part of the Senate:

MATT MCCOY, Chair  
TOD R. BOWMAN  
JANET PETERSEN

On the part of the House:

DAN HUSEMAN, Chair  
STEVE HOLT  
GUY VANDER LINDEN

## CONFERENCE COMMITTEE REPORT CONSIDERED

### Senate File 2320

Senator Gronstal called up the conference committee report on **Senate File 2320**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, the state aviation fund, and the federal surface transportation block grant program, filed on April 29, 2016, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2320), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	

Nays, 19:

Anderson	Dix	Rozenboom	Smith
Behn	Garrett	Schneider	Whitver
Breitbach	Guth	Segebart	Zaun
Chapman	Johnson	Shiple	Zumbach
Costello	Kapucian	Sinclair	

Absent, 5:

Bertrand	Feenstra	Schultz
Chelgren	Kraayenbrink	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2320** and **House File 2456** be **immediately messaged** to the House.

The Senate stood at ease at 4:03 p.m. until the fall of the gavel.

The Senate resumed session at 4:25 p.m., President Jochum presiding.

## 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 April 29, 2016, **amended** the Senate amendment, **concurred** in the Senate amendment as amended, **and passed** the following bills in which the concurrence of the Senate is asked:

**House File 2458**, a bill for an act relating to appropriations to the justice system. (S-5186)

**House File 2468**, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions. (S-5187)

HOUSE AMENDMENT TO  
SENATE AMENDMENT CONSIDERED**House File 2458**

Senator Gronstal called up for consideration **House File 2458**, a bill for an act relating to appropriations to the justice system, amended by the Senate and further amended by the House in House amendment S-5186 to Senate amendment H-8276, filed April 29, 2016.

Senator Courtney moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Courtney moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2458), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	

Nays, 19:

Anderson	Dix	Rozenboom	Smith
Behn	Garrett	Schneider	Whitver
Breitbach	Guth	Segebart	Zaun
Chapman	Johnson	Shipley	Zumbach
Costello	Kapucian	Sinclair	

Absent, 5:

Bertrand	Feenstra	Schultz
Chelgren	Kraayenbrink	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

## HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

### House File 2468

Senator Gronstal called up for consideration **House File 2468**, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy

tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions, amended by the Senate and further amended by the House in House amendment S-5187 to Senate amendment H-8307, filed April 29, 2016.

Senator Bolkom moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Bolkom moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2468), the vote was:

Yeas, 45:

Allen	Dearden	Kapucian	Shipley
Anderson	Dix	Kinney	Sinclair
Behn	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Segebart	
Danielson	Johnson	Seng	



Nays, none.

Absent, 5:

Bertrand	Feenstra	Schultz
Chelgren	Kraayenbrink	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2458** and **2468** be **immediately messaged** to the House.

The Senate stood at ease at 4:35 p.m. until the fall of the gavel.

The Senate resumed session at 5:05 p.m., President Jochum presiding.

### HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 29, 2016, **adopted** the conference committee report **and passed House File 2460**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions.

### CONFERENCE COMMITTEE REPORT RECEIVED

#### House File 2460

A conference committee report, signed by the following Senate and House members, was filed April 29, 2016, on **House File 2460**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions:

On the part of the Senate:

AMANDA RAGAN, Chair  
JOE BOLKCOM  
ROBERT E. DVORSKY

On the part of the House:

DAVE HEATON, Chair  
JOEL FRY  
LINDA MILLER

## CONFERENCE COMMITTEE REPORT CONSIDERED

### House File 2460

Senator Ragan called up the conference committee report on **House File 2460**, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, and including effective date and retroactive and other applicability provisions, filed on April 29, 2016, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Ragan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2460), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Nays, 19:

Anderson	Dix	Rozenboom	Smith
Behn	Garrett	Schneider	Whitver
Breitbach	Guth	Segebart	Zaun
Chapman	Johnson	Shiple	Zumbach
Costello	Kapucian	Sinclair	

Absent, 5:

Bertrand	Feenstra	Schultz
Chelgren	Kraayenbrink	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2460** be **immediately messaged** to the House.

## MOTION TO RECONSIDER ADOPTED

Senator Dvorsky called up the motion to reconsider Senate File 2109, filed by him on April 28, 2016, found on page 816 of the Senate Journal and moved its adoption.

On the question “Shall the motion to reconsider be adopted?” (S.F. 2109), the vote was:

Yeas, 45:

Allen	Dearden	Kapucian	Shiple
Anderson	Dix	Kinney	Sinclair
Behn	Dotzler	Mathis	Smith
Bisignano	Dvorsky	McCoy	Sodders
Bolkcom	Garrett	Petersen	Taylor
Bowman	Gronstal	Quirnbach	Whitver
Brase	Guth	Ragan	Wilhelm
Breitbach	Hart	Rozenboom	Zaun
Chapman	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Segebart	
Danielson	Johnson	Seng	

Nays, none.

Absent, 5:

Bertrand	Feenstra	Schultz
Chelgren	Kraayenbrink	

The motion prevailed and Senate File 2109 was taken up for reconsideration.

Senator Gronstal called up the motion to reconsider the vote by which amendment S-5107 to Senate File 2109 was adopted by the Senate on April 28, 2016, filed by him from the floor, and moved its adoption.

The motion prevailed by a voice vote and amendment S-5107, by the House to pages 1, 3, 4, and the title page of the bill, was taken up for reconsideration.

Senator Gronstal offered amendment S-5188, filed by him from the floor to page 1 of amendment S-5107, and moved its adoption.

Amendment S-5188 to amendment S-5107 was adopted by a voice vote.

Senator Dvorsky moved the adoption of amendment S-5107, as amended.

Amendment S-5107, as amended, was adopted by a voice vote.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2109), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirmbach	
Danielson	Horn	Ragan	

Nays, 19:

Anderson	Dix	Rozenboom	Smith
Behn	Garrett	Schneider	Whitver
Breitbach	Guth	Segebart	Zaun
Chapman	Johnson	Shiple	Zumbach
Costello	Kapucian	Sinclair	

Absent, 5:

Bertrand	Feenstra	Schultz
Chelgren	Kraayenbrink	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2109** be **immediately messaged** to the House.

The Senate stood at ease at 5:16 p.m. until the fall of the gavel.

The Senate resumed session at 5:30 p.m., President Jochum presiding.

## RECESS

On motion of Senator Gronstal, the Senate recessed at 5:46 p.m. until the completion of a meeting of the committee on Rules and Administration.

## RECONVENED

The Senate reconvened at 6:01 p.m., President Jochum presiding.

## 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 April 29, 2016, **adopted** the conference committee report **and passed Senate File 2320**, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, the state aviation fund, and the federal surface transportation block grant program.

ALSO: That the House has on April 29, 2016, **adopted** the conference committee report **and passed House File 2459**, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions.

## CONFERENCE COMMITTEE REPORT RECEIVED

### House File 2459

A conference committee report, signed by the following Senate and House members, was filed April 29, 2016, on **House File 2459**, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions:

On the part of the Senate:

ROBERT E. DVORSKY, Chair  
MICHAEL E. GRONSTAL  
PAM JOCHUM

On the part of the House:

PAT GRASSLEY, Chair  
CHRIS HAGENOW  
LINDA UPMEYER

## CONFERENCE COMMITTEE REPORT CONSIDERED

### House File 2459

Senator Gronstal called up the conference committee report on **House File 2459**, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions, filed on April 29, 2016, and moved its adoption.

The motion prevailed by a voice vote; and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2459), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	

Nays, 19:

Anderson	Dix	Rozenboom	Smith
Behn	Garrett	Schneider	Whitver
Breitbach	Guth	Segebart	Zaun
Chapman	Johnson	Shipley	Zumbach
Costello	Kapucian	Sinclair	

Absent, 5:

Bertrand	Feenstra	Schultz
Chelgren	Kraayenbrink	

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2459** be **immediately messaged** to the House.

### INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 101, by Rules and Administration, a concurrent resolution to provide for adjournment sine die.

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

### CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 101.

### Senate Concurrent Resolution 101

On motion of Senator Gronstal, **Senate Concurrent Resolution 101**, a concurrent resolution to provide for adjournment sine die, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Concurrent Resolution 101, which motion prevailed by a voice vote.

## IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Concurrent Resolution 101** be **immediately messaged** to the House.

## FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 101, duly adopted, the day of April 29, 2016, having arrived, President Jochum declared the 2016 Regular Session of the Eighty-sixth General Assembly adjourned sine die.

## APPENDIX

## HOUSE MESSAGES RECEIVED

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 April 29, 2016, **concurred** in the Senate amendment to the House amendment **and passed** the following bill in which the concurrence of the House was asked:

**Senate File 2109**, a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions.

ALSO: That the House has on April 29, 2016, **adopted** the following resolution in which the concurrence of the House was asked:

**Senate Concurrent Resolution 101**, a concurrent resolution to provide for adjournment sine die.

## REPORT OF COMMITTEE MEETING

## WAYS AND MEANS

**Convened:** Friday, April 29, 2016, 2:10 p.m.

**Members Present:** Bolckom, Chair; Allen, Vice Chair; Anderson, Breitbach, Dotzler, Hogg, Jochum, McCoy, Petersen, Quirnbach, Seng, and Smith.



**Members Absent:** Feenstra, Ranking Member; Behn, and Schultz (all excused).

**Committee Business:** Passed HF 2456.

**Adjourned:** 2:15 p.m.

## AMENDMENTS FILED

S-5186	H.F.	2458	House
S-5187	H.F.	2468	House
S-5188	S.F.	2109	Michael E. Gronstal

## REMARKS BY THE MAJORITY LEADER

Senator Gronstal provided the following remarks:

When the session began, I said that our focus must be “bringing more workers and their families into Iowa’s middle class.”

The two steps I suggested to help accomplish that goal were 1) expanding educational opportunities and 2) strengthening the Medicaid health care safety net.

I warned that “We must break the pattern of the last few years when the Governor and Iowa House leaders successfully insisted on inadequate funding for our local schools.”

In short, I said we needed to do better.

The best you can say about local school funding this year is that the decision was made in a more timely fashion.

It was closer to being on time but not nearly close enough to what Iowa should be investing in our K12 schools.

Iowans of all ages prepare themselves for the jobs of today at our community colleges, universities and private colleges. This session increased our support for these institutions, slightly.

In January, with regard to Governor Branstad’s Medicaid privatization mess, I noted that “Everyone in this chamber has talked with constituents whose family health care costs would bankrupt the financial resources of 99% of all Iowa families. Rather than dismissing their well-founded concerns, we should listen and take action.”

That was in January. Today, it is still obvious to most Iowans that our Medicaid safety net is still in disarray.

During this session—with bipartisan support—the Iowa Senate approved strong Medicaid oversight protection. Unfortunately, that legislation was largely rejected by the Iowa House.

Suffering Iowa families now have the additional burden of fixing problems created by the same private companies guaranteed hundreds of millions in administrative fees, far more than when Medicaid was administered by state employees.

Iowa health care providers now bear the additional costs of dealing with three different billing systems and conflicting approaches to treatment. That’s why many Iowa communities are now worse off in terms of access to health care.

Despite the Senate’s best work, the effort to bring more workers and their families into Iowa’s middle class by expanding educational opportunities and strengthening the Medicaid health care safety net fell short of what Iowa families need and deserved.

Let’s hope the next Legislature will do better!

## REMARKS BY THE MINORITY LEADER

Senator Dix provided the following remarks:

Thank you Madame President. When session began this year I commented on the need for state government to be fiscally prudent and instill the kind of fiscal discipline into the state budget that Iowa families put into their own budgets. Now, nearly five months later, it is time to evaluate the results of this session.

Budgeting is simply a matter of revenues and expenditures. For the State of Iowa, revenues have been strong during the last four years. Revenues grew by nearly \$589 million from FY13 to the estimates for FY 17. Unfortunately, for Iowa taxpayers, expenditures increased by nearly \$1 billion during that same time period. When the state closed its books at the end of FY 13, the ending balance was \$927 million. With the passage of this year's appropriation bills, the ending balance projects to be approximately \$80 million. The data regarding the state budget is clear; Iowa government does not have a revenue problem. It has a spending problem.

Iowa families know that they cannot spend more than they take in for very long. Ultimately, that credit card bill comes due. As I just illustrated the state budget has been growing at a pace that exceeds revenue. Sadly, this behavior isn't limited to just the general fund. For years the Rebuild Iowa Infrastructure Fund budget has been raided for all sorts of projects. Now, the state's existing vertical infrastructure cannot be maintained because, between the ill-fated I-Jobs program and other bonding commitments, the first \$70 million per year is already committed to bond repayments.

So, what do some in this body propose? This headline from last week in the Cedar Rapids Gazette summarizes it well: "Senate Includes Borrowing in Infrastructure Budget." According to the article the proposal would further indebt Iowa for \$110 million. The disease is overspending and according to some the cure is...more spending!

My colleagues and I are concerned about spending growth for the simple reason that when government grows, the private sector shrinks. When the private sector shrinks, opportunity for young Iowans either disappears, or it moves to Kansas City, Austin, or Indianapolis.

I believe Iowa has all the necessary ingredients for a period of dynamic economic growth. I am optimistic when I think about Iowa's future and the possibilities young Iowans have in front of them. Iowa has some of the most productive farm land in the world, a citizenry that is hard-working and engaged, and, of course, only the finest bacon.

Opportunities to invest and succeed are important and when this body throws up barriers to growth, whether that is excessive regulation or excessive taxation, we only hurt our own children and grandchildren. Senate Republicans advocate for policies that encourage economic growth, that remove barriers that inhibit growth and that incentivize work and investment. The more government gets out of the way, and the more of their own money Iowans keep, the more Iowa's economy will grow.

As some of you know my oldest son is graduating from high school next month. I want Iowa to be a viable option for his future because career opportunities are available. We need to leave a legacy of opportunity for every Iowan!

Let's make it happen!

## REMARKS BY THE PRESIDENT OF THE SENATE

President Jochum provided the following remarks:

In my opening remarks for the 2016 General Assembly, I posed a challenge to craft a fiscally responsible budget that was fair to all Iowans and that would help build an economy that works for everyone. As the late U.S. Senator Paul Wellstone said, “We all do better, when we all do better.”

Although Iowa’s workers outperform the national average on productivity, their wages remain twenty-three percent below the national average. Furthermore, over 100,000 Iowa children live in poverty and one-in-five Iowa children are food insecure. Too many Iowans are still left behind and those impacted the most are our children—Iowa’s future. So, crafting a budget that was responsive to the needs of Iowans and that paved a pathway to a more prosperous future for all Iowans was critical. That’s why in my opening remarks I called for a “new war on poverty and income inequality.” We cannot cut our way to prosperity. We must out-educate, out innovate, and out-build the world. We must invest in our children’s education and provide opportunities for any Iowan who wants to improve or acquire new skills that will improve their financial well-being. Education is the engine that moves us forward.

As difficult as this budget was to craft, we were able to take steps forward to close the poverty gap and provide opportunity for Iowa’s working families by:

- Boosting education dollars to our K-12 schools through investments in early reading initiatives and quality teaching.
- Investing in education funding for our universities, community colleges, and grants for students attending private colleges.
- Investing more than \$40 million in apprenticeship training and job retraining at our community colleges.
- Expanding the First Five program for our youngest children.
- Spurring Iowa’s economy by attracting more visitors and tourism, as well as young professionals and families to live, to work, and to play in Iowa.
- Providing safeguards for the most vulnerable Iowans through comprehensive legislative oversight of Governor Branstad’s and Lt. Governor Reynolds’ plan to privatize Iowa’s public health insurance program—Medicaid. Holding the out of state, for-profit managed care organizations accountable to the taxpayers, to our local providers and to our citizens who rely on this program for their health security is critically important and one of our duties as legislators.
- Investing in renewable sources of energy such as solar, wind, geo-thermal, and biofuels.

While this session made progress on a number of fronts, there were missed opportunities passed by the Senate—many with bipartisan support—that the House Republican leaders failed to consider, including:

- Raising the minimum wage. The Senate passed a modest increase raising the minimum wage to \$8.75. This would have given 181,000 Iowans, most of whom are women and children, a lift out of poverty. Twenty-nine states have passed a minimum wage higher than the federal limit. Five of those states share a border with Iowa.
- Expanding the statewide pre-school program for all four-year old children.
- Expanding high quality, affordable childcare for Iowa’s families.
- Equal Pay for Equal Work.

Iowa faces many challenges that need to be addressed by future legislators. We need willing partners to work toward a meaningful, effective, sustainable solution for water quality. We need a plan to combat the increased violence in our urban centers by identifying the root causes of poverty and lack of opportunity. We need a fair tax system to help strengthen Iowa's working families, instead of giving tax breaks to wealthy out-of-state fortune 500 corporation. In short, we need an economy that works for everyone.

## SENATE REPORTS RECEIVED AFTER ADJOURNMENT

The following is a record of Senate reports received after the close of the 2016 Regular Session.

### FINAL DISPOSITION OF MOTIONS TO RECONSIDER

Pursuant to Senate Rule 24, the following motions to reconsider, which remained on the Senate Calendar upon the adjournment of the 2016 Regular Session of the Eighty-sixth General Assembly, was determined to have **failed**:

The motion to reconsider the vote by which Senate File 2310 failed to pass the Senate on April 19, 2016. (Motion to reconsider filed by Senator Dotzler on April 19, 2016.)

The motion to reconsider the vote by which Senate File 2310 failed to pass the Senate on April 19, 2016. (Motion to reconsider filed by Senator Sinclair on April 20, 2016.)

MICHAEL E. MARSHALL  
Secretary of the Senate

### 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:

#### AUDITOR OF STATE

IPERS—Report of Schedules of Employer Allocations and Collective Pension Amounts Allocated by Employer, pursuant to Iowa Code section 11.6. Report received on May 4, 2016.

#### DEPARTMENT OF COMMERCE (CREDIT UNION DIVISION)

Annual Report, pursuant to Iowa Code section 533.114. Report received on May 13, 2016.

#### DEPARTMENT OF COMMERCE (INSURANCE DIVISION)

Revolving Fund Revenue and Expenditures, pursuant to Iowa Code section 533.114. Report received on May 4, 2016.

## DEPARTMENT OF CORRECTIONS

Monthly Report, pursuant to Iowa Code section 904.116. Report received on May 25, 2016.

## BOARD OF REGENTS

Monthly Financial Report, pursuant to 2013 Iowa Acts, Chapter 141.27. Report received on May 13, 2016.

Gifts and Grants Monthly Report, pursuant to Iowa Code section 8.44. Report received on May 25, 2016.

Monthly Financial Report for April 2016, pursuant to 2015 Iowa Acts, Chapter 140.7. Report received on May 25, 2016.

## DEPARTMENT OF REVENUE

Central Collection Unit Quarterly Debt Collection Report, pursuant to Iowa Code section 421.17. Report received on May 10, 2016.

## BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 29th day of April, 2016.

Senate Files 492, 2109, 2187, 2188, 2299, 2301, 2304, 2308, 2309, 2311, 2312, 2313, 2314, 2316, 2320, 2323, 2324, 2326.

MICHAEL E. MARSHALL  
Secretary of the Senate

SENATE BILLS APPROVED, ITEM VETOED, AND  
VETOED AFTER ADJOURNMENT

The following is a record of action by the Governor transmitted to the Secretary of State after the close of the 2016 Regular Session:

## SENATE BILLS APPROVED

**Senate File 492** – Creating a disaster case management grant fund and program. Approved May 27, 2016.

**Senate File 2109** – Relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, and including effective date provisions . Approved May 27, 2016.

**Senate File 2187** – Relating to the issuance of driver’s licenses marked to reflect veteran status and providing for the acceptance of a disability certification from the United States department of veterans affairs for a persons with disabilities parking permit. Approved May 27, 2016.

**Senate File 2188** – Relating to prescription authority for certain psychologists and making penalties applicable. Approved May 27, 2016.

**Senate File 2299** – Relating to the early childhood Iowa initiative. Approved May 27, 2016.

**Senate File 2301** – Relating to the Iowa educational savings plan trust and including effective date and retroactive applicability provisions. Approved May 25, 2016.

**Senate File 2304** – Relating to standards for and certification and inspection of children’s residential facilities. Approved May 27, 2016.

**Senate File 2308** – Relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, making appropriations, and including transition provisions. Approved May 27, 2016.

**Senate File 2309** – Providing for tax credits and refunds relating to renewable fuels including their component biofuels and including effective date provisions. Approved May 24, 2016.

**Senate File 2311** – Relating to the department of public defense by providing for the gold star military museum. Approved May 27, 2016.

**Senate File 2312** – Modifying the state sales tax rebate to the owner or operator of a baseball and softball tournament facility and movie site. Approved May 27, 2016.

**Senate File 2313** – Relating to employment services programs administered by the department of workforce development by providing for conformity with federal law concerning the workforce development board, authorizing the department to carry out certain actions relating to the unemployment insurance program, making an appropriation, and including effective date provisions. Approved May 27, 2016.

**Senate File 2316** – Relating to the collection of delinquent court debt and associated installment agreements. Approved May 27, 2016.

**Senate File 2320** – Relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, the state aviation fund, and the federal surface transportation block grant program. Approved May 27, 2016.

**Senate File 2324** – Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions. Approved May 27, 2016.

**Senate File 2326** – Relating to the funding of the statewide interoperable communications system and the expenditure of moneys from the E911 emergency communications fund. Approved May 11, 2016.

#### GOVERNOR'S ITEM VETO MESSAGES

##### **Senate File 2314**

May 27, 2016

The Honorable Paul D. Pate  
Secretary of State of Iowa  
State Capitol  
Des Moines, Iowa 50319

Dear Mr. Secretary:

I hereby transmit Senate File 2314, an Act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority and other properly related matters, and including effective date and retroactive applicability provisions.

This legislation fails to appropriate sufficient funds for the State's utility bills. The failure to provide funds for utilities, a necessary expense for all state agencies, is bad budgeting and a practice that must be changed.

Senate File 2314 is approved on this date with the following exception, which I hereby disapprove.

I am unable to approve of the item designated as Section 17, in its entirety. This item is redundant and unnecessary because it creates new annual reports, establishes an interim study committee, and limits the use of certain fees collected by the Department of Administrative Services (DAS). Numerous reports are already produced and made available by DAS regarding the methodologies and the impact of established rates on state agencies. Iowa code and administrative rules establish the customer council and the process used for the development of rates charged for the internal services provided by the department. The customer council includes representatives from all three branches of government. This item also prohibits increases in rates for programs, including those administered by third party providers. DAS does not set the rates for programs administered by third party providers and DAS does not have an independent source of revenue to absorb any increase. DAS simply passes the costs through to state agencies based on the utilization of such services as: workers' compensation, unemployment compensation, Family Medical Leave Act, the health care and dependent care pre-tax programs, and other services critical to the day-to-day business of the State.



For the above reasons, I respectfully disapprove the designated item in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2314 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD  
Governor

**Senate File 2323**

May 27, 2016

The Honorable Paul D. Pate  
Secretary of State of Iowa  
State Capitol  
Des Moines, Iowa 50319

Dear Mr. Secretary:

I hereby transmit Senate File 2323, an Act relating to the funding of, the operation of, and appropriation of moneys to the College Student Aid Commission, the Department for the Blind, the Department of Education, and the State Board of Regents, providing for related matters, and including effective and applicable date provisions.

Senate File 2323 is approved on this date with the following exceptions, of which I hereby disapprove.

I am unable to approve the items designated as Section 18, and Section 19, subsection 5, in their entirety. These items unduly delay Iowa's transition to a new statewide academic assessment system. The Iowa Department of Education can best serve students by moving forward immediately to prepare for the implementation of the new assessment system on July 1, 2017. School administrators and teachers are eager for a new assessment system that is closely aligned with Iowa's high state academic standards. By providing better information about students' academic progress, the new assessment system will improve instruction. A well-aligned assessment is a key step toward providing a globally competitive education.

For the foregoing reasons, I respectfully disapprove the above-designated items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in Senate File 2323 are hereby approved as of this date.

Sincerely,

TERRY E. BRANSTAD  
Governor



# AMENDMENTS FILED

## EIGHTY-SIXTH GENERAL ASSEMBLY 2016 REGULAR SESSION

S-5001

### HOUSE AMENDMENT TO SENATE FILE 174

1 Amend Senate File 174, as passed by the Senate, as  
2 follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <Section 1. Section 257.8, subsection 1, Code 2016,  
6 is amended to read as follows:

7 1. State percent of growth. ~~The state percent~~  
8 ~~of growth for the budget year beginning July 1,~~  
9 ~~2013, is two percent.~~ The state percent of growth  
10 for the budget year beginning July 1, 2014, is four  
11 percent. The state percent of growth for the budget  
12 year beginning July 1, 2015, is one and twenty-five  
13 hundredths percent. The state percent of growth for  
14 the budget year beginning July 1, 2016, is two percent.  
15 The state percent of growth for each subsequent budget  
16 year shall be established by statute which shall be  
17 enacted within thirty days of the submission in the  
18 year preceding the base year of the governor's budget  
19 under section 8.21. The establishment of the state  
20 percent of growth for a budget year shall be the only  
21 subject matter of the bill which enacts the state  
22 percent of growth for a budget year.

23 Sec. 2. CODE SECTION 257.8 — IMPLEMENTATION. The  
24 requirement of section 257.8, subsection 1, regarding  
25 the enactment of bills establishing the regular program  
26 state percent of growth within thirty days of the  
27 submission in the year preceding the base year of the  
28 governor's budget does not apply to this Act.>

S-5002

### HOUSE AMENDMENT TO SENATE FILE 175

1 Amend Senate File 175, as passed by the Senate, as  
2 follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <Section 1. Section 257.8, subsection 2, Code 2016,  
6 is amended to read as follows:

7 2. Categorical state percent of growth. ~~The~~

8 ~~categorical state percent of growth for the budget~~  
9 ~~year beginning July 1, 2013, is two percent.~~ The  
10 categorical state percent of growth for the budget  
11 year beginning July 1, 2014, is four percent. The  
12 categorical state percent of growth for the budget  
13 year beginning July 1, 2015, is one and twenty-five  
14 hundredths percent. The categorical state percent of  
15 growth for the budget year beginning July 1, 2016,  
16 is two percent. The categorical state percent of  
17 growth for each budget year shall be established by  
18 statute which shall be enacted within thirty days of  
19 the submission in the year preceding the base year  
20 of the governor's budget under section 8.21. The  
21 establishment of the categorical state percent of  
22 growth for a budget year shall be the only subject  
23 matter of the bill which enacts the categorical  
24 state percent of growth for a budget year. The  
25 categorical state percent of growth may include state  
26 percents of growth for the teacher salary supplement,  
27 the professional development supplement, the early  
28 intervention supplement, and the teacher leadership  
29 supplement.

30 Sec. 2. CODE SECTION 257.8 — IMPLEMENTATION. The  
31 requirement of section 257.8, subsection 2, regarding  
32 the enactment of bills establishing the categorical  
33 state percent of growth within thirty days of the  
34 submission in the year preceding the base year of the  
35 governor's budget does not apply to this Act.>

### S-5003

1 Amend Senate File 2092 as follows:  
2 1. Page 1, after line 21 by inserting:  
3 <Sec. \_\_. NEW SECTION. 257.17A Categorical  
4 funding supplement uses — resolution.  
5 1. For the school budget year beginning July  
6 1, 2017, and succeeding budget years, the board of  
7 directors of a school district, on or before May 15  
8 preceding the budget year, may adopt a resolution  
9 authorizing the school district to use, notwithstanding  
10 any provision of law to the contrary, all or a portion  
11 of the moneys received by the school district for  
12 that budget year as the result of the teacher salary  
13 supplement, the professional development supplement,  
14 the early intervention supplement, and the teacher  
15 leadership supplement for any school district general  
16 fund purpose.  
17 2. Within ten days of adopting the resolution under  
18 subsection 1, the board of directors of the school  
19 district shall file a copy of the resolution with  
20 the department of management and the department of  
21 education.

22 Sec. \_\_\_\_ CODE SECTION 257.8 — IMPLEMENTATION.  
 23 The requirement of section 257.8, subsection 2,  
 24 regarding the subject matter limitation of bills  
 25 establishing the categorical state percent of growth  
 26 does not apply to this Act.>  
 27 2. Title page, line 2, by striking <2017> and  
 28 inserting <2017, and relating to the use of categorical  
 29 funding supplements>  
 30 3. By renumbering as necessary.

BRAD ZAUN  
 TIM L. KAPUCIAN  
 JACK WHITVER  
 JAKE CHAPMAN  
 RICK BERTRAND  
 MARK COSTELLO  
 AMY SINCLAIR  
 MARK CHELGREN  
 JERRY BEHN  
 RANDY FEENSTRA  
 BILL ANDERSON  
 KEN ROZENBOOM  
 DENNIS GUTH  
 TOM SHIPLEY  
 DAVID JOHNSON  
 MARK SEGEBART

### S-5004

1 Amend Senate File 2142 as follows:  
 2 1. Page 4, after line 15 by inserting:  
 3 <Sec. \_\_\_\_ EFFECTIVE DATE. This Act takes effect  
 4 January 1, 2017.>  
 5 2. Title page, line 4, after <election> by  
 6 inserting <and including effective date provisions>  
 7 3. By renumbering as necessary.

JEFF DANIELSON

### S-5005

1 Amend Senate File 2157 as follows:  
 2 1. Page 1, after line 28 by inserting:  
 3 <Sec. \_\_\_\_ Section 43.27, Code 2016, is amended to  
 4 read as follows:  
 5 **43.27 Printing of ballots.**  
 6 The text printed on ballots of each political party  
 7 shall be ~~printed~~ in black ink, on separate sheets of  
 8 paper, uniform in quality, texture, and size, with the  
 9 name of the political party printed at the head of  
 10 ~~and the~~ ballots, which ballots shall be prepared by  
 11 the commissioner in the same manner as for the general

12 election, except as in this chapter provided. The  
 13 commissioner may print the ballots for each political  
 14 party using a different color for each party. If  
 15 colored paper is used, all of the ballots for each  
 16 separate party shall be uniform in color.

17 Sec. \_\_\_\_ Section 52.28, Code 2016, is amended to  
 18 read as follows:

19 **52.28 Optical scan voting system ballot forms.**

20 The commissioner of each county in which the use  
 21 of an optical scan voting system in one or more  
 22 precincts has been authorized shall print text on  
 23 optical scan ballots using black ink on white paper  
 24 and shall determine the arrangement of candidates'  
 25 names and public questions upon the ballot or ballots  
 26 used with the system. The ballot information shall  
 27 be arranged as required by chapters 43 and 49, and by  
 28 any relevant provisions of any statutes which specify  
 29 the form of ballots for special elections, so far  
 30 as possible within the constraints of the physical  
 31 characteristics of the optical scan voting system in  
 32 use in that county. The state commissioner may adopt  
 33 rules requiring a reasonable degree of uniformity among  
 34 counties in arrangement of optical scan voting system  
 35 ballots.>

Page 2

- 1 2. Title page, line 2, after <program,> by
- 2 inserting <the printing of ballots,>
- 3 3. By renumbering as necessary.

JEFF DANIELSON

**S-5006**

- 1 Amend Senate File 2112 as follows:
- 2 1. Page 5, line 16, after <fiduciary's> by
- 3 inserting <or designated recipient's>

ROBERT M. HOGG

**S-5007**

- 1 Amend Senate File 398 as follows:
- 2 1. Page 1, before line 1 by inserting:
- 3 <Section 1. Section 91A.6, subsection 1, Code 2016,
- 4 is amended to read as follows:
- 5 1. An employer shall ~~after being notified by the~~
- 6 ~~commissioner pursuant to subsection 2~~ do the following:
- 7 a. Notify its employees in writing at the time of
- 8 hiring what wages and regular paydays are designated
- 9 by the employer.

10 b. Notify its employees in writing whose wages are  
 11 determined based on a task, piece, mile, or load basis  
 12 about the method used to calculate wages and when the  
 13 wages are earned by the employees.  
 14 ~~b. c.~~ Notify, at least one pay period prior to the  
 15 initiation of any changes, its employees of any changes  
 16 in the arrangements specified in this subsection ~~+~~ that  
 17 reduce wages or alter the regular paydays. The notice  
 18 shall either be in writing or posted at a place where  
 19 employee notices are routinely posted.  
 20 ~~e. d.~~ Make available to its employees upon written  
 21 request, a written statement enumerating employment  
 22 agreements and policies with regard to vacation pay,  
 23 sick leave, reimbursement for expenses, retirement  
 24 benefits, severance pay, or other comparable matters  
 25 with respect to wages. Notice of such availability  
 26 shall be given to each employee in writing or by a  
 27 notice posted at a place where employee notices are  
 28 routinely posted.  
 29 ~~f. e.~~ Establish, maintain, and preserve for three  
 30 calendar years the payroll records showing the hours  
 31 worked, wages earned, and deductions made for each  
 32 employee and any employment agreements entered into  
 33 between an employer and employee.  
 34 Sec. \_\_\_\_\_. Section 91A.6, subsection 2, Code 2016,  
 35 is amended by striking the subsection.>

Page 2

- 1 2. Page 1, line 1, by striking <2015> and inserting
- 2 <2016>
- 3 3. Page 1, line 8, by striking <2015> and inserting
- 4 <2016>
- 5 4. By renumbering as necessary.

COMMITTEE ON LABOR AND  
 BUSINESS RELATIONS  
 TONY BISIGNANO, Chair

**S-5008**

- 1 Amend Senate File 2155 as follows:
- 2 1. Page 1, line 1, by striking <29C.24> and
- 3 inserting <8D.15>
- 4 2. Page 1, line 5, by striking <department> and
- 5 inserting <Iowa telecommunications and technology
- 6 commission>
- 7 3. Page 1, line 6, by striking <department> and
- 8 inserting <commission>
- 9 4. Page 1, line 8, by striking <department in> and

10 inserting <commission in>  
 11 5. Page 1, line 24, by striking <29C.24> and  
 12 inserting <8D.15>

JEFF DANIELSON

**S-5009**

1 Amend House File 228, as passed by the House, as  
 2 follows:  
 3 1. Page 1, line 2, by striking <2015> and inserting  
 4 <2016>  
 5 2. Page 1, line 10, by striking <2015> and  
 6 inserting <2016>  
 7 3. Page 2, line 8, after <thereof> by inserting  
 8 <However, prior to issuing a transitional coaching  
 9 authorization to an individual under this paragraph  
 10 “b”, the board shall ensure that the individual meets  
 11 all of the following requirements:  
 12 (1) Completes a shortened course of training  
 13 relating to the code of professional rights and  
 14 responsibilities, practices, and ethics developed in  
 15 accordance with section 272.2, subsection 1, paragraph  
 16 “a”, by the board specifically for transitional  
 17 coaches.  
 18 (2) Completes the child and dependent adult abuse  
 19 mandatory reporter training required by sections 232.69  
 20 and 235B.16.  
 21 (3) Completes a nationally recognized concussion in  
 22 youth sports training course.  
 23 (4) Complies with the background investigation  
 24 requirements established by the board pursuant to  
 25 section 272.2, subsection 17.>  
 26 4. Page 2, line 10, by striking <2015> and  
 27 inserting <2016>  
 28 5. Page 2, line 16, by striking <2015> and  
 29 inserting <2016>  
 30 6. Page 2, after line 20 by inserting:  
 31 <Sec. \_\_\_\_\_. Section 279.19B, Code 2016, is amended  
 32 by adding the following new subsection:  
 33 NEW SUBSECTION. 1A. For the first two weeks of  
 34 employment as a transitional coach and for the first  
 35 extracurricular interscholastic athletic contest or

Page 2

1 competition sponsored by an organization as defined  
 2 in section 280.13, the individual shall be supervised  
 3 by a certified athletic director, administrator, or  
 4 other practitioner in a supervisory role. If the  
 5 individual performs to the supervising practitioner’s  
 6 satisfaction, the supervising practitioner shall



- 7 sign and date an evaluation form provided by the  
 8 organization to certify that the individual meets  
 9 expectations to work with student athletes as a  
 10 transitional coach. The organization shall develop  
 11 and offer on its internet site an evaluation form that  
 12 meets the requirements of this subsection.>  
 13 7. Page 2, line 22, by striking <2015> and  
 14 inserting <2016>  
 15 8. By renumbering as necessary.

COMMITTEE ON EDUCATION  
 HERMAN C. QUIRMBACH, Chair

### S-5010

- 1 Amend Senate File 2198 as follows:  
 2 1. Page 1, line 10, after <considered> by inserting  
 3 <and rejected or has tried and failed to respond to>  
 4 2. Page 1, line 31, by striking <soon>  
 5 3. Page 4, line 9, by striking <The> and inserting  
 6 <To the extent consistent with state law, the>  
 7 4. By renumbering as necessary.

JEFF DANIELSON

### S-5011

- 1 Amend Senate File 2151 as follows:  
 2 1. Page 7, after line 35 by inserting:  
 3 <Sec. \_\_. ALCOHOLIC BEVERAGES — AUTOMATED  
 4 DISPENSING DEVICE — LIMITED WAIVER. A licensee or  
 5 permittee who applied for and was denied a waiver by  
 6 the alcoholic beverages division of the department of  
 7 commerce to dispense wine or beer through a vending  
 8 machine or an automated dispensing device prior  
 9 to January 1, 2016, may apply for and be granted a  
 10 waiver to dispense beer, wine, or spirits through a  
 11 vending machine or an automated dispensing device,  
 12 notwithstanding the requirement that the vending  
 13 machine or automated dispensing device and any  
 14 associated component designed to grant access to the  
 15 device be deactivated at the end of each business  
 16 day, subject to the requirements of this section.  
 17 To be granted a waiver, the licensee or permittee  
 18 must have acquired the vending machine or automated  
 19 dispensing device incapable of being deactivated prior  
 20 to January 1, 2016, and shall designate, in the waiver  
 21 application, that the vending machine or automated  
 22 dispensing device is the device that will be used  
 23 to dispense beer, wine, or spirits pursuant to the  
 24 waiver, if granted, and that all other requirements  
 25 for granting a waiver will be complied with. If the

26 licensee or permittee replaces or ceases to use the  
 27 vending machine or automated dispensing device that  
 28 is incapable of being deactivated, the authority of  
 29 the alcoholic beverages division of the department of  
 30 commerce to grant the licensee or permittee the waiver  
 31 pursuant to this section shall cease and the licensee  
 32 or permittee shall be required to comply with all  
 33 the requirements to be granted the waiver to dispense  
 34 beer, wine, or spirits through a vending machine or an  
 35 automated dispensing device.

Page 2

1 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. The following  
 2 provision or provisions of this Act, being deemed of  
 3 immediate importance, take effect upon enactment:  
 4 1. The section of this Act authorizing a limited  
 5 waiver for an automated dispensing device.>  
 6 2. Title page, line 3, after <commerce> by  
 7 inserting <and including effective date provisions>  
 8 3. By renumbering as necessary.

JEFF DANIELSON

**S-5012**

1 Amend Senate File 2145 as follows:  
 2 1. Page 1, by striking lines 1 through 3 and  
 3 inserting:  
 4 <Sec. \_\_\_\_ HAWK-I COVERED SPEECH THERAPY  
 5 BENEFIT. The hawk-i covered speech therapy benefit  
 6 shall provide for>  
 7 2. Page 1, after line 10 by inserting:  
 8 <Sec. \_\_\_\_ HAWK-I BOARD DUTIES — BENEFIT  
 9 PACKAGE. The hawk-i board shall review the benefit  
 10 package design of, the noninclusive list of benefits  
 11 for, and the definition of medically necessary utilized  
 12 under the hawk-i program, and shall approve a benefit  
 13 package and adopt rules, pursuant to the duties  
 14 specified in section 514I.5, to provide benefits  
 15 uniformly and consistently across all participating  
 16 insurers, in the type and manner that reflects and  
 17 meets the needs of the child population, including  
 18 children with special health care needs, under the  
 19 hawk-i program.>  
 20 3. Title page, line 1, after <therapy> by inserting  
 21 <and other>  
 22 4. Title page, line 2, by striking <Medicaid  
 23 managed care> and inserting <the hawk-i program>

PAM JOCHUM

**S-5013**

1 Amend Senate File 502 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:

4 <Section 1. NEW SECTION. 162.9 Commercial breeders  
5 — quality assurance council and certificate.

6 1. A quality assurance council is established  
7 within the department. The council shall be composed  
8 of one member appointed by the secretary of agriculture  
9 who has an interest in the welfare of dogs and cats,  
10 one member appointed by the Iowa voters for companion  
11 animals, and one member appointed by the Iowa pet  
12 breeders association. A member shall serve for a term  
13 of two years, except the initial members shall serve  
14 staggered terms as designated by the secretary of  
15 agriculture. The members may elect a chairperson and  
16 adopt rules of procedure. A member is not entitled to  
17 receive a per diem as specified in section 7E.6 and is  
18 not entitled to be reimbursed for actual or necessary  
19 expenses incurred in the performance of the member's  
20 duties.

21 2. The council shall review applications submitted  
22 by commercial breeders who seek to receive a quality  
23 assurance certificate denoting the breeder as one of  
24 the leading commercial breeders in this state. The  
25 council shall award quality assurance certificates  
26 to those applicants who have demonstrated a long  
27 history of caring for dogs or cats in a manner that  
28 consistently exceeds the standard of care required in  
29 this chapter and the Animal Welfare Act.>

30 2. Title page, by striking lines 1 through 4 and  
31 inserting <An Act relating to commercial establishments  
32 keeping nonagricultural animals, by establishing a  
33 quality assurance council and providing for a quality  
34 assurance certificate awarded to selected commercial  
35 breeders.>

COMMITTEE ON COMMERCE  
JANET PETERSEN, Chair

**S-5014**

1 Amend Senate File 2224 as follows:

2 1. Page 1, after line 33 by inserting:

3 <Sec. \_\_. Section 321.385A, Code 2016, is amended  
4 to read as follows:

5 **321.385A Citation for unlighted headlamp, rear lamp,**  
6 **bicycle or rider lamp, or rear registration plate light.**

7 1. a. A citation issued for failure to have  
8 headlamps as required under section 321.385 shall first  
9 provide for a seventy-two hour period within which the

10 person charged with the violation shall replace or  
11 repair the headlamp.

12 *b.* A citation issued for failure to have rear  
13 lamps as required under section 321.387 or a rear  
14 registration plate light as required under section  
15 321.388 shall first provide for a seventy-two hour  
16 period within which the person charged with the  
17 violation shall replace or repair the lamps or light.

18 *c.* A citation issued for failure to have a front  
19 lamp or rear lamp on a bicycle or on a bicycle rider  
20 as required under section 321.397 shall first provide  
21 for a seventy-two hour period within which the person  
22 charged with the violation shall replace or repair the  
23 lamp or lamps.

24 2. If the person complies with the directive to  
25 replace or repair the headlamp, rear lamps, bicycle or  
26 rider lamp, or rear registration plate light within the  
27 allotted time period, the citation shall be expunged.  
28 If the person fails to comply within the allotted time  
29 period, the citation shall be processed in the same  
30 manner as other citations.

31 3. A citation issued under this section shall  
32 include a written notice of replacement or repair which  
33 shall indicate the date of replacement or repair and  
34 the manner in which the replacement or repair occurred  
35 and which shall be returned to the issuing authority

Page 2

1 within the seventy-two hour time period.

2 Sec. \_\_\_\_ Section 321.397, Code 2016, is amended to  
3 read as follows:

4 **321.397 Lamps on bicycles and bicycle riders.**

5 ~~Every~~ At the times specified in section 321.384,  
6 a bicycle or its rider shall be equipped with a lamp  
7 on the front exhibiting a white light, ~~at the times~~  
8 ~~specified in section 321.384,~~ visible from a distance  
9 of at least three hundred feet to the front and with a  
10 lamp on the rear exhibiting a red light visible from a  
11 distance of three hundred feet to the rear; ~~except that~~  
12 ~~a red reflector may be used in lieu of a rear light.~~ A  
13 peace officer riding a police bicycle is not required  
14 to use either front or rear lamps if duty so requires.

15 Sec. \_\_\_\_ EFFECTIVE DATE. The following provisions  
16 of this Act take effect January 1, 2017:

17 1. The section of this Act amending section  
18 321.385A.

19 2. The section of this Act amending section  
20 321.397.>

21 2. Title page, by striking lines 1 and 2 and  
22 inserting <An Act relating to bicyclists, including  
23 the overtaking and passing of bicyclists by motor

- 24 vehicles and the use of lighted lamps on bicycles and  
 25 bicyclists, applying existing penalties, and including  
 26 effective date provisions.>  
 27 3. By renumbering as necessary.

JOE BOLKCOM

**S-5015**

- 1 Amend Senate File 2283 as follows:  
 2 1. Page 54, by striking lines 4 through 7.  
 3 2. By renumbering, redesignating, and correcting  
 4 internal references as necessary.

COMMITTEE ON JUDICIARY  
 STEVEN J. SODDERS, Chair

**S-5016**

- 1 Amend Senate File 2009 as follows:  
 2 1. Page 3, after line 27 by inserting:  
 3 <Sec. \_\_\_. EFFECTIVE UPON ENACTMENT. This Act,  
 4 being deemed of immediate importance, takes effect upon  
 5 enactment.>  
 6 2. Page 3, line 29, by striking <2017> and  
 7 inserting <2016>  
 8 3. Title page, line 2, after <including> by  
 9 inserting <effective date and>  
 10 4. By renumbering as necessary.

RITA HART

**S-5017**

- 1 Amend Senate File 2009 as follows:  
 2 1. Page 3, after line 27 by inserting:  
 3 <Sec. \_\_\_. EFFECTIVE UPON ENACTMENT. This Act,  
 4 being deemed of immediate importance, takes effect upon  
 5 enactment.>  
 6 2. Page 3, line 29, by striking <2017> and  
 7 inserting <2016>  
 8 3. Title page, line 2, after <including> by  
 9 inserting <effective date and>  
 10 4. By renumbering as necessary.

MARK CHELGREN

**S-5018**

- 1 Amend Senate File 2231 as follows:  
 2 1. Page 1, line 10, after <to> by inserting <a  
 3 request for the expenditure of disaster aid from the

4 contingent fund created in section 29C.20 or to>

ROBERT E. DVORSKY

### S-5019

1 Amend Senate File 2244 as follows:

- 2 1. Page 1, lines 8 and 9, by striking <an  
3 authorized representative> and inserting <a trustee>  
4 2. Page 1, line 9, by striking <an irrevocable> and  
5 inserting <a>  
6 3. Page 1, lines 9 and 10, by striking <the primary  
7 user> and inserting <a current trust beneficiary  
8 permitted to operate the motor vehicle or trailer>  
9 4. Page 1, line 24, by striking <primary user's>  
10 and inserting <current trust beneficiary's>  
11 5. Page 2, line 2, by striking <primary user> and  
12 inserting <current trust beneficiary>  
13 6. Page 2, line 10, by striking <primary user> and  
14 inserting <current trust beneficiary>  
15 7. Title page, line 2, by striking <irrevocable>

HERMAN C. QUIRMBACH

### S-5020

1 Amend Senate File 2233 as follows:

- 2 1. Page 13, by striking lines 30 and 31 and  
3 inserting <jurisdiction under chapter 252K, the uniform  
4 interstate family support Act.>

STEVEN J. SODDERS

### S-5021

1 Amend Senate File 2155 as follows:

- 2 1. By striking everything after the enacting clause  
3 and inserting:  
4 Section 1. **NEW SECTION. 80.29A Statewide land**  
5 **mobile radio communications system fund.**  
6 1. A statewide land mobile radio communications  
7 system fund is created in the state treasury under  
8 the control of the department. Moneys in the fund  
9 are appropriated to the department for operation of a  
10 statewide land mobile radio communications system to be  
11 administered by the department in coordination with the  
12 department of transportation.  
13 2. Notwithstanding section 12C.7, subsection  
14 2, interest or earnings on moneys in the fund shall  
15 be credited to the fund and shall be used for costs  
16 associated with construction of the statewide land  
17 mobile radio communications system. Notwithstanding

18 section 8.33, moneys credited to the fund that remain  
 19 unexpended or unobligated at the end of a fiscal year  
 20 through the fiscal year beginning July 1, 2021, and  
 21 ending June 30, 2022, shall not revert to any other  
 22 fund.

23 Sec. 2. STATEWIDE LAND MOBILE RADIO COMMUNICATIONS  
 24 SYSTEM APPROPRIATION. There is appropriated from the  
 25 general fund of the state for the fiscal year beginning  
 26 July 1, 2015, and ending June 30, 2016, the following  
 27 amount, or so much thereof as is necessary, to be used  
 28 for the purposes designated:

29 1. For deposit in the statewide land mobile radio  
 30 communications system fund created in section 80.29A:  
 31 ..... \$ 20,371,298

32 2. The Iowa telecommunications and technology  
 33 commission shall collaborate with the department  
 34 of public safety regarding the deployment of the  
 35 statewide land mobile radio communications system

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1 network and the ongoing operations of the network.  
 2 The commission, as required by the department, shall  
 3 provide project management regarding the technical  
 4 network deployment and ongoing network operations,  
 5 including the procurement of any vendor services  
 6 or equipment necessary for the technical network  
 7 deployment and ongoing operations. The department  
 8 of public safety, in conjunction with the state  
 9 department of transportation, shall at all times  
 10 retain overall responsibility for the statewide land  
 11 mobile radio communications system network and primary  
 12 responsibility for the operational policy of the  
 13 network.

14 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being  
 15 deemed of immediate importance, takes effect upon  
 16 enactment.>

JEFF DANIELSON

**S-5022**

1 Amend Senate File 2200 as follows:  
 2 1. Page 1, after line 25 by inserting:  
 3 <Sec. \_\_. Section 282.18, subsection 7, Code 2016,  
 4 is amended to read as follows:  
 5 7. a. A pupil participating in open enrollment  
 6 shall be counted, for state school foundation aid  
 7 purposes, in the pupil's district of residence. A  
 8 pupil's residence, for purposes of this section, means  
 9 a residence under section 282.1.  
 10 b. (1) The board of directors of the district of

11 residence shall pay to the receiving district the state  
 12 cost per pupil for the previous school year, and the  
 13 teacher leadership supplement state cost per pupil for  
 14 the previous fiscal year as provided in section 257.9,  
 15 plus any moneys received for the pupil as a result of  
 16 the non-English speaking weighting under section 280.4,  
 17 subsection 3, for the previous school year multiplied  
 18 by the state cost per pupil for the previous year. If  
 19 the pupil participating in open enrollment is also an  
 20 eligible pupil under section 261E.6, the receiving  
 21 district shall pay the tuition reimbursement amount to  
 22 an eligible postsecondary institution as provided in  
 23 section 261E.7.

24 (2) If a pupil participates in an extracurricular  
 25 activity in accordance with subsection 11A, the  
 26 district of residence may deduct an activity fee from  
 27 the amount calculated in subparagraph (1). The amount  
 28 of an activity fee shall not exceed the lesser of the  
 29 actual cost of providing the activity to the pupil or  
 30 fifteen percent of the state cost per pupil for the  
 31 previous school year.

32 Sec. \_\_. Section 282.18, Code 2016, is amended by  
 33 adding the following new subsection:

34 NEW SUBSECTION. 11A. A pupil participating in  
 35 open enrollment for purposes of receiving educational

Page 2

1 instruction and course content primarily over  
 2 the internet in accordance with section 256.7,  
 3 subsection 32, paragraph “c”, may participate in any  
 4 extracurricular activities offered to children in the  
 5 pupil’s grade or group and sponsored by the district of  
 6 residence under the same conditions and requirements as  
 7 the pupils enrolled in the district of residence.>

8 2. Title page, line 2, after <initiative> by  
 9 inserting <and participation in extracurricular  
 10 activities in the school district of residence  
 11 by pupils who open enroll to receive educational  
 12 instruction and course content primarily over the  
 13 internet.>

MARK CHELGREN  
 BRAD ZAUN  
 JASON SCHULTZ  
 JERRY BEHN  
 DENNIS GUTH  
 MICHAEL BREITBACH  
 RANDY FEENSTRA  
 JACK WHITVER  
 KEN ROZENBOOM  
 AMY SINCLAIR



**S-5023**

1 Amend Senate File 2218 as follows:  
2 1. Page 1, line 27, after <provider,> by inserting  
3 <a registered nurse staffing an authorized service  
4 program under section 147A.12, a physician assistant  
5 staffing an authorized service program under section  
6 147A.13,>

JOE BOLKCOM

**S-5024**

1 Amend Senate File 2164 as follows:  
2 1. Page 1, line 4, by striking <and> and inserting  
3 <or a conviction for>  
4 2. Page 1, line 7, by striking <including> and  
5 inserting <for a violation of this section or>  
6 3. Page 1, line 11, by striking <and> and inserting  
7 <for a violation of this section or>  
8 4. Page 1, line 15, by striking <and> and inserting  
9 <for a violation of this section or>  
10 5. Page 1, line 19, by striking <and> and inserting  
11 <for a violation of this section or>  
12 6. Page 1, line 22, by striking <and> and inserting  
13 <for a violation of this section or>

MARK CHELGREN

**S-5025**

1 Amend Senate File 2155 as follows:  
2 1. By striking everything after the enacting clause  
3 and inserting:  
4 Section 1. **NEW SECTION. 80.29A Statewide land**  
5 **mobile radio communications system fund.**  
6 1. A statewide land mobile radio communications  
7 system fund is created in the state treasury under  
8 the control of the department. Moneys in the fund  
9 are appropriated to the department for purposes  
10 of establishing a statewide land mobile radio  
11 communications system to be administered by the  
12 department in coordination with the department of  
13 transportation.  
14 2. Notwithstanding section 12C.7, subsection  
15 2, interest or earnings on moneys in the fund shall  
16 be credited to the fund and shall be used for costs  
17 associated with construction of the statewide land  
18 mobile radio communications system. Notwithstanding  
19 section 8.33, moneys credited to the fund that remain  
20 unexpended or unobligated at the end of a fiscal year

21 through the fiscal year beginning July 1, 2021, and  
22 ending June 30, 2022, shall not revert to any other  
23 fund.

24 Sec. 2. STATEWIDE LAND MOBILE RADIO COMMUNICATIONS  
25 SYSTEM APPROPRIATION. There is appropriated from the  
26 general fund of the state for the fiscal year beginning  
27 July 1, 2015, and ending June 30, 2016, the following  
28 amount, or so much thereof as is necessary, to be used  
29 for the purposes designated:

- 30 1. For deposit in the statewide land mobile radio  
31 communications system fund created in section 80.29A:  
32 ..... \$ 20,371,298
- 33 2. The Iowa telecommunications and technology  
34 commission shall collaborate with the department  
35 of public safety regarding the deployment of the

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1 statewide land mobile radio communications system  
2 network and the ongoing operations of the network.  
3 The commission, as required by the department, shall  
4 provide project management regarding the technical  
5 network deployment and ongoing network operations,  
6 including the procurement of any vendor services  
7 or equipment necessary for the technical network  
8 deployment and ongoing operations. The department  
9 of public safety, in conjunction with the state  
10 department of transportation, shall at all times  
11 retain overall responsibility for the statewide land  
12 mobile radio communications system network and primary  
13 responsibility for the operational policy of the  
14 network.

15 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being  
16 deemed of immediate importance, takes effect upon  
17 enactment.>

JEFF DANIELSON

**S-5026**

- 1 Amend Senate File 2109 as follows:
- 2 1. Page 3, after line 15 by inserting:
- 3 <DIVISION \_\_
- 4 DEPARTMENT OF PUBLIC HEALTH
- 5 Sec. \_\_. HEART ATTACK TREATMENT. There is
- 6 appropriated from the general fund of the state to
- 7 the department of public health for the fiscal year
- 8 beginning July 1, 2015, and ending June 30, 2016, the
- 9 following amount, or so much thereof as is necessary,
- 10 to be used for the purposes designated:
- 11 For a collaborative effort between the department
- 12 of public health, the Iowa emergency medical services

13 association, the American heart association, midwest  
14 affiliate, Iowa's health systems and hospitals, and  
15 emergency medical service providers, to supplement  
16 funding received through a grant from the Leona M.  
17 and Harry B. Helmsley charitable trust for a program  
18 to enhance systems of care, save lives, and improve  
19 outcomes for heart attack patients in rural Iowa called  
20 the mission: lifeline program:

21 ..... \$ 1,500,000

22 Moneys appropriated under this section shall  
23 be used to enhance the critical elements of an  
24 optimal ST-elevated myocardial infarction (STEMI)  
25 system of care including the provision of 12-lead  
26 electrocardiogram (EKG) machines, the provision of  
27 a systemwide data tool for quality measurement and  
28 improvement, ongoing medical provider training and  
29 STEMI education, coordination of protocols for rural  
30 emergency management systems and hospital personnel,  
31 the implementation of regional plans for rapid  
32 transport and transfer of patients, the implementation  
33 of a public education campaign on heart attack signs  
34 and symptoms and the need to activate the 911 system,  
35 and the provision of assistance to hospitals and

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1 emergency medical services providers in acquiring  
2 essential electrocardiogram equipment and training.  
3 Notwithstanding section 8.33, moneys appropriated in  
4 this section that remain unencumbered or unobligated  
5 at the close of the fiscal year for which appropriated  
6 shall not revert but shall remain available for  
7 expenditure for the purposes designated until the close  
8 of the succeeding fiscal year.  
9 Sec. \_\_. EFFECTIVE DATE. This division of this  
10 Act, being deemed of immediate importance, takes effect  
11 upon enactment.>  
12 2. By renumbering as necessary.

JEFF DANIELSON

**S-5027**

- 1 Amend Senate File 2109 as follows:
- 2 1. Page 1, by striking lines 12 through 16.
- 3 2. Page 2, by striking lines 4 through 8.
- 4 3. Page 2, by striking lines 24 through 28.
- 5 4. Page 3, by striking lines 8 through 12.

MARK CHELGREN

**S-5028**

- 1 Amend Senate File 2163 as follows:
- 2 1. Page 1, line 33, by striking <p. 804> and
- 3 inserting <pp. 804-805>

BRIAN SCHOENJAHN

**S-5029**

- 1 Amend Senate File 2257 as follows:
- 2 1. Page 1, line 19, after <location> by inserting
- 3 <for the authority's programs>

TONY BISIGNANO

**S-5030**

- 1 Amend Senate File 2288 as follows:
- 2 1. Page 7, line 3, after <dismissed> by inserting
- 3 <without any adjudication of delinquency>
- 4 2. Page 7, line 4, after <court> by inserting <in
- 5 the matter>

JANET PETERSEN

**S-5031**

- 1 Amend Senate File 2284 as follows:
- 2 1. Page 1, line 13, after <age> by inserting
- 3 <military veteran or military personnel status>

MARK CHELGREN

**S-5032**

- 1 Amend Senate File 2258 as follows:
- 2 1. Page 5, by striking lines 19 through 23.
- 3 2. Page 5, by striking lines 29 through 31 and
- 4 inserting <of sex trafficking>
- 5 3. Page 8, by striking lines 26 through 28 and
- 6 inserting:
- 7 <NEW SUBSECTION. 5A. A child placed in foster care
- 8 may participate in age or developmentally appropriate
- 9 extracurricular, enrichment, cultural, and social
- 10 activities subject to the approval of the child's
- 11 foster parents or the appropriate licensed foster care
- 12 facility staff.>

LIZ MATHIS  
JULIAN B. GARRETT  
MARK COSTELLO

**S-5033**

- 1 Amend Senate File 2163 as follows:  
2 1. Page 1, by striking line 1 and inserting:  
3 <Section 1. Section 272.10, subsections 2 and 3,  
4 Code 2016, are>  
5 2. Page 1, by striking lines 5 through 7 and  
6 inserting <The executive director shall deposit  
7 ~~twenty five percent of the fees collected annually with~~  
8 ~~the treasurer of state and the fees shall be credited~~  
9 ~~to the general fund of the state.~~>  
10 3. Page 1, line 8, by striking <remaining> and  
11 inserting <remaining>  
12 4. Page 1, after line 22 by inserting:  
13 <3. The executive director shall keep an accurate  
14 and detailed account of fees received, ~~including fees~~  
15 ~~paid to the treasurer of state~~ and fees retained by the  
16 board.>

MARK CHELGREN

**S-5034**HOUSE AMENDMENT TO  
SENATE FILE 2200

- 1 Amend Senate File 2200, as passed by the Senate, as  
2 follows:  
3 1. Page 1, line 16, by striking <a> and inserting  
4 <an Iowa>

**S-5035**

- 1 Amend Senate File 2284 as follows:  
2 1. Page 1, line 13, after <age,> by inserting  
3 <unborn status,>  
4 2. Page 1, line 17, after <age,> by inserting  
5 <unborn status,>

JAKE CHAPMAN

**S-5036**

- 1 Amend Senate File 2284 as follows:  
2 1. Page 1, line 10, after <against> by inserting  
3 <any person or against>  
4 2. Page 1, line 14, after <with> by inserting <any  
5 person or with>

MARK CHELGREN

**S-5037**

- 1 Amend Senate File 2147 as follows:  
 2 1. Page 1, by striking lines 8 through 14 and  
 3 inserting <of human services as a psychiatric security  
 4 specialist at a civil commitment unit for sexually  
 5 violent offenders facility.>

THOMAS G. COURTNEY

**S-5038**

- 1 Amend Senate File 2219 as follows:  
 2 1. Page 1, line 5, by striking <control equipment  
 3 and>  
 4 2. Page 1, line 27, after <alarms.> by inserting  
 5 <For purposes of this paragraph, “*approved carbon*  
 6 *monoxide alarm*” means a carbon monoxide alarm that  
 7 meets the standards established by the underwriters’  
 8 laboratories or is approved by the state fire marshal  
 9 as established by rule under subsection 4.>  
 10 3. Page 2, by striking lines 9 through 12 and  
 11 inserting <carbon monoxide alarm in a location as  
 12 specified by rules established by the state fire  
 13 marshal under subsection 4, taking into account  
 14 the number and location of all fuel sources in the  
 15 building.>  
 16 4. Page 3, line 25, by striking <2017> and  
 17 inserting <2018>

JEFF DANIELSON

**S-5039**

- 1 Amend Senate File 2170 as follows:  
 2 1. Page 1, line 9, by striking <twenty> and  
 3 inserting <thirteen>  
 4 2. Page 1, by striking lines 14 through 16  
 5 and inserting <a notice in a relevant contractor  
 6 organization publication and a relevant contractor plan  
 7 room service with statewide circulation, provided that  
 8 a notice is posted and a relevant construction lead  
 9 generating service with statewide circulation and on  
 10 an>  
 11 3. Page 1, by striking lines 24 through 26 and  
 12 inserting <filing bids in a relevant contractor plan  
 13 room service with statewide circulation and a relevant  
 14 construction lead generating service with statewide  
 15 circulation and on an internet site sponsored by either  
 16 a>

MATT McCOY

**S-5040**

- 1 Amend Senate File 2251 as follows:  
2 1. Page 1, before line 1 by inserting:  
3 <Sec. \_\_\_\_ NEW SECTION. 200.20A Anhydrous ammonia  
4 **containers.**  
5 1. As used in this section, unless the context  
6 otherwise requires:  
7 a. (1) “*Container*” means a tank used for  
8 transporting or storing anhydrous ammonia.  
9 (2) “*Container*” does not include a pressure vessel  
10 having one thousand pounds of water capacity or less,  
11 if constructed in accordance with specifications for  
12 cylinders and authorized for transportation by the  
13 United States department of transportation under 49  
14 C.F.R. pts. 100-180.  
15 b. “*Nurse tank*” means a container having a capacity  
16 of three thousand gallons or less, if the container  
17 is used for transporting anhydrous ammonia containing  
18 two-tenths of one percent water and the anhydrous  
19 ammonia is exclusively used for application on land for  
20 agricultural purposes.  
21 2. On and after June 1, 2017, a nurse tank shall  
22 not be manufactured in this state, and shall not be  
23 imported for use in this state, unless a full postweld  
24 heat treatment manufacturing method has been used.  
25 3. The department of agriculture and land  
26 stewardship shall adopt rules required to implement,  
27 administer, and enforce this section.>  
28 2. Page 1, by striking line 22 and inserting:  
29 <Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. The section  
30 of this Act creating an anhydrous ammonia task force,  
31 being deemed of>  
32 3. Title page, by striking line 1 and inserting <An  
33 Act providing for the regulation of>  
34 4. By renumbering as necessary.

KEVIN KINNEY

**S-5041**

- 1 Amend Senate File 2255 as follows:  
2 1. Page 2, after line 6 by inserting:  
3 <h. The individual was terminated from employment  
4 for cause.>  
5 2. By renumbering as necessary.

MARK CHELGREN

**S-5042**

1 Amend Senate File 2269 as follows:  
 2 1. Page 1, by striking lines 1 through 12 and  
 3 inserting:  
 4 <Section 1. Section 216A.133A, subsection 2, Code  
 5 2016, is amended to read as follows:  
 6 2. The purpose of the board is to provide the  
 7 general assembly with an analysis of current and  
 8 proposed criminal code provisions and to provide  
 9 research and make recommendations about violence  
 10 causation and prevention to local communities  
 11 throughout the state.  
 12 Sec. \_\_. Section 216A.133A, subsection 3, Code  
 13 2016, is amended by adding the following new paragraph:  
 14 NEW PARAGRAPH. e. Researching and making  
 15 recommendations relating to the cause and prevention of  
 16 violence in local communities, including gun violence.>  
 17 2. Title page, by striking line 1 and inserting  
 18 <An Act relating to studying community violence by the  
 19 public safety advisory board.>

STEVEN J. SODDERS

**S-5043**

1 Amend Senate File 2226 as follows:  
 2 1. Page 1, after line 13 by inserting:  
 3 <Sec. \_\_. **NEW SECTION. 728.2A Dissemination by**  
 4 **young persons of material depicting a sex act or nudity.**  
 5 1. Any person fourteen through eighteen years  
 6 of age who knowingly disseminates to another person  
 7 fourteen through eighteen years of age material  
 8 depicting either or both persons, one of whom is a  
 9 minor, engaged in a sex act or in a state of full or  
 10 partial nudity, as defined in section 709.21, commits a  
 11 simple misdemeanor.  
 12 2. A person convicted under this section shall not  
 13 be required to register as a sex offender under chapter  
 14 692A.  
 15 Sec. \_\_. Section 728.12, Code 2016, is amended by  
 16 adding the following new subsection:  
 17 NEW SUBSECTION. 5. A violation of this section  
 18 does not apply to a person fourteen through eighteen  
 19 years of age if all of the following circumstances  
 20 apply:  
 21 a. The material was disseminated to a person  
 22 fourteen through eighteen years of age.  
 23 b. The material depicts the sender, recipient, or  
 24 both, one of whom is a minor, engaged in a prohibited  
 25 sex act or in the simulation of a prohibited sex act.  
 26 c. The material was knowingly created with the



27 consent of the persons depicted.  
 28 *d.* The sender of the material knows or reasonably  
 29 believes the material would not be offensive to the  
 30 recipient of the material.  
 31 *e.* The person does not further disseminate or  
 32 exhibit the material if the material depicts another  
 33 person.>  
 34 2. Title page, line 1, after <the> by inserting  
 35 <dissemination by a young person of material depicting

Page 2

1 a sex act or nudity, the>

JANET PETERSEN

**S-5044**

1 Amend Senate File 2188 as follows:  
 2 1. Page 2, by striking lines 27 through 31 and  
 3 inserting:  
 4 <The board of medicine shall, in consultation with  
 5 the board of psychology, establish by rule all of the  
 6 following:  
 7 1. Specific minimum standards for the appropriate  
 8 supervision of a psychologist prescribing medication  
 9 pursuant to a conditional prescription certificate  
 10 under chapter 154B. Such standards shall include  
 11 requiring a physician serving as a supervising  
 12 licensed physician to notify the board of medicine  
 13 of the identity of the psychologist the physician  
 14 is supervising and any change in the status of the  
 15 supervisory relationship.  
 16 2. The process for initiating and conducting  
 17 disciplinary proceedings under chapter 17A if a  
 18 licensed physician fails to adequately supervise a  
 19 psychologist prescribing psychotropic medications  
 20 pursuant to a prescription certificate under  
 21 chapter 154B. The rule shall take into account  
 22 the deliberations of the board in making such a  
 23 determination.>  
 24 2. Page 3, line 8, after <practice.> by inserting  
 25 <The practice guidelines may include limitations  
 26 on the prescribing of psychotropic medications by  
 27 psychologists and protocols for prescribing to special  
 28 populations including patients who are less than  
 29 seventeen years of age or over sixty-five years of  
 30 age. patients who are pregnant. and patients with  
 31 serious medical conditions including but not limited to  
 32 heart disease. cancer. stroke. seizures. and patients  
 33 with developmental disabilities and intellectual  
 34 disabilities.>  
 35 3. Page 5, by striking lines 2 and 3 and inserting

Page 2

1 <application, successfully completed an education  
 2 program accredited by the American psychological  
 3 association consisting of intensive didactic  
 4 instruction of no>  
 5 4. Page 8, by striking lines 13 through 33 and  
 6 inserting:  
 7 <1. The board shall, in consultation with the board  
 8 of medicine, adopt rules to carry out the provisions  
 9 of this chapter relating to prescribing psychologists.  
 10 The rules shall include but not be limited to all of  
 11 the following:  
 12 a. Procedures to obtain a conditional prescription  
 13 certificate, a prescription certificate, and a renewal  
 14 of a prescription certificate. The board may set  
 15 reasonable application and renewal fees.  
 16 b. Grounds for the denial, suspension, or  
 17 revocation of a conditional prescription certificate  
 18 and a prescription certificate, including a provision  
 19 for suspension or revocation of a license to  
 20 practice psychology upon suspension of a conditional  
 21 prescription certificate and a prescription  
 22 certificate.  
 23 c. The provision of an annual list of psychologists  
 24 with prescription certificates and psychologists with  
 25 conditional prescription certificates that contains  
 26 the information agreed to between the board and the  
 27 board of medicine. The board shall promptly notify the  
 28 board of medicine of psychologists who are added to or  
 29 removed from the list.  
 30 d. Any other rules necessary for the administration  
 31 of this chapter.  
 32 2. The board shall appoint a prescribing  
 33 psychologist rules subcommittee comprised of a  
 34 psychologist appointed by the board, a physician  
 35 appointed by the board of medicine, and a member of the

Page 3

1 public appointed by the director of public health to  
 2 develop rules for consideration by the board pursuant  
 3 to this section.>

JOE BOLKCOM  
 DAVID JOHNSON  
 ROBERT E. DVORSKY

**S-5045**

1 Amend Senate File 2213 as follows:  
 2 1. By striking everything after the enacting clause  
 3 and inserting:

4 <Section 1. LEGISLATIVE FINDINGS — GOALS AND  
5 INTENT.

6 1. The general assembly finds all of the following:

7 a. In the majority of states, Medicaid managed care  
8 has been introduced on an incremental basis, beginning  
9 with the enrollment of low-income children and parents  
10 and proceeding in stages to include nonelderly persons  
11 with disabilities and older individuals. Iowa, unlike  
12 the majority of states, is implementing Medicaid  
13 managed care hastily and simultaneously across a broad  
14 and diverse population that includes individuals with  
15 complex health care and long-term services and supports  
16 needs, making these individuals especially vulnerable  
17 to receiving inappropriate, inadequate, or substandard  
18 services and supports.

19 b. The success or failure of Medicaid managed  
20 care in Iowa depends on proper strategic planning and  
21 strong oversight, and the incorporation of the core  
22 values, principles, and goals of the strategic plan  
23 into Medicaid managed care contractual obligations.  
24 While Medicaid managed care techniques may create  
25 pathways and offer opportunities toward quality  
26 improvement and predictability in costs, if cost  
27 savings and administrative efficiencies are the  
28 primary goals, Medicaid managed care may instead erect  
29 new barriers and limit the care and support options  
30 available, especially to high-need, vulnerable Medicaid  
31 recipients. A well-designed strategic plan and  
32 effective oversight ensure that cost savings, improved  
33 health outcomes, and efficiencies are not achieved  
34 at the expense of diminished program integrity, a  
35 reduction in the quality or availability of services,

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1 or adverse consequences to the health and well-being of  
2 Medicaid recipients.

3 c. Strategic planning should include all of the  
4 following:

5 (1) Guidance in establishing and maintaining a  
6 robust and appropriate workforce and a provider network  
7 capable of addressing all of the diverse, distinct, and  
8 wide-ranging treatment and support needs of Medicaid  
9 recipients.

10 (2) Developing a sound methodology for establishing  
11 and adjusting capitation rates to account for all  
12 essential costs involved in treating and supporting the  
13 entire spectrum of needs across recipient populations.

14 (3) Addressing the sufficiency of information and  
15 data resources to enable review of factors such as  
16 utilization, service trends, system performance, and  
17 outcomes.

18 (4) Building effective working relationships and  
19 developing strategies to support community-level  
20 integration that provides cross-system coordination  
21 and synchronization among the various service sectors,  
22 providers, agencies, and organizations to further  
23 holistic well-being and population health goals.  
24 d. While the contracts entered into between the  
25 state and managed care organizations function as a  
26 mechanism for enforcing requirements established by the  
27 federal and state governments and allow states to shift  
28 the financial risk associated with caring for Medicaid  
29 recipients to these contractors, the state ultimately  
30 retains responsibility for the Medicaid program and  
31 the oversight of the performance of the program's  
32 contractors. Administration of the Medicaid program  
33 benefits by managed care organizations should not be  
34 viewed by state policymakers and state agencies as a  
35 means of divesting themselves of their constitutional

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1 and statutory responsibilities to ensure that  
2 recipients of publicly funded services and supports, as  
3 well as taxpayers in general, are effectively served.  
4 e. Overseeing the performance of Medicaid managed  
5 care contractors requires a different set of skills  
6 than those required for administering a fee-for-service  
7 program. In the absence of the in-house capacity of  
8 the department of human services to perform tasks  
9 specific to Medicaid managed care oversight, the state  
10 essentially cedes its responsibilities to private  
11 contractors and relinquishes its accountability to the  
12 public. In order to meet these responsibilities, state  
13 policymakers must ensure that the state, including the  
14 department of human services as the state Medicaid  
15 agency, has the authority and resources, including  
16 the adequate number of qualified personnel and the  
17 necessary tools, to carry out these responsibilities,  
18 provide effective administration, and ensure  
19 accountability and compliance.  
20 f. State policymakers must also ensure that  
21 Medicaid managed care contracts contain, at a minimum,  
22 clear, unambiguous performance standards, operating  
23 guidelines, data collection, maintenance, retention,  
24 and reporting requirements, and outcomes expectations  
25 so that contractors and subcontractors are held  
26 accountable to clear contract specifications.  
27 g. As with all system and program redesign efforts  
28 undertaken in the state to date, the assumption  
29 of the administration of Medicaid program benefits  
30 by managed care organizations must involve ongoing  
31 stakeholder input and earn the trust and support of

32 these stakeholders. Medicaid recipients, providers,  
 33 advocates, and other stakeholders have intimate  
 34 knowledge of the people and processes involved in  
 35 ensuring the health and safety of Medicaid recipients,

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1 and are able to offer valuable insight into the  
 2 barriers likely to be encountered as well as propose  
 3 solutions for overcoming these obstacles. Local  
 4 communities and providers of services and supports  
 5 have firsthand experience working with the Medicaid  
 6 recipients they serve and are able to identify factors  
 7 that must be considered to make a system successful.  
 8 Agencies and organizations that have specific expertise  
 9 and experience with the services and supports needs of  
 10 Medicaid recipients and their families are uniquely  
 11 placed to provide needed assistance in developing  
 12 the measures for and in evaluating the quality of the  
 13 program.

14 2. It is the intent of the general assembly that  
 15 the Medicaid program be implemented and administered,  
 16 including through Medicaid managed care policies  
 17 and contract provisions, in a manner that safeguards  
 18 the interests of Medicaid recipients, encourages the  
 19 participation of Medicaid providers, and protects  
 20 the interests of all taxpayers, while attaining the  
 21 goals of Medicaid modernization to improve quality and  
 22 access, promote accountability for outcomes, and create  
 23 a more predictable and sustainable Medicaid budget.

24 HEALTH POLICY OVERSIGHT COMMITTEE

25 Sec. 2. Section 2.45, subsection 6, Code 2016, is  
 26 amended to read as follows:

27 6. The legislative health policy oversight  
 28 committee, which shall be composed of ~~ten~~ members of  
 29 the general assembly, consisting of five members from  
 30 each house, to be appointed by the legislative council.  
 31 The legislative health policy oversight committee  
 32 shall ~~receive updates and review data, public input and~~  
 33 ~~concerns, and make recommendations for improvements to~~  
 34 ~~and changes in law or rule regarding Medicaid managed~~  
 35 ~~care~~ meet at least four times annually to evaluate

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1 state health policy and provide continuing oversight  
 2 for publicly funded programs, including but not limited  
 3 to all facets of the Medicaid and hawk-i programs  
 4 to, at a minimum, ensure effective and efficient  
 5 administration of these programs, address stakeholder  
 6 concerns, monitor program costs and expenditures, and  
 7 make recommendations relative to the programs.

8 Sec. 3. HEALTH POLICY OVERSIGHT COMMITTEE  
 9 — SUBJECT MATTER REVIEW FOR 2016 LEGISLATIVE  
 10 INTERIM. During the 2016 legislative interim, the  
 11 health policy oversight committee created in section  
 12 2.45 shall, as part of the committee’s evaluation  
 13 of state health policy and review of all facets of  
 14 the Medicaid and hawk-i programs, review and make  
 15 recommendations regarding, at a minimum, all of the  
 16 following:

- 17 1. The resources and duties of the office of  
 18 long-term care ombudsman relating to the provision of  
 19 assistance to and advocacy for Medicaid recipients  
 20 to determine the designation of duties and level of  
 21 resources necessary to appropriately address the needs  
 22 of such individuals. The committee shall consider the  
 23 health consumer ombudsman alliance report submitted to  
 24 the general assembly in December 2015, as well as input  
 25 from the office of long-term care ombudsman and other  
 26 entities in making recommendations.
- 27 2. The health benefits and health benefit  
 28 utilization management criteria for the Medicaid  
 29 and hawk-i programs to determine the sufficiency  
 30 and appropriateness of the benefits offered and the  
 31 utilization of these benefits.
- 32 3. Prior authorization requirements relative  
 33 to benefits provided under the Medicaid and hawk-i  
 34 programs, including but not limited to pharmacy  
 35 benefits.

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- 1 4. Consistency and uniformity in processes,  
 2 procedures, forms, and other activities across all  
 3 Medicaid and hawk-i program participating insurers and  
 4 managed care organizations, including but not limited  
 5 to cost and quality reporting, credentialing, billing,  
 6 prior authorization, and critical incident reporting.
- 7 5. Provider network adequacy including the use of  
 8 out-of-network and out-of-state providers.
- 9 6. The role and interplay of other advisory and  
 10 oversight entities, including but not limited to the  
 11 medical assistance advisory council and the hawk-i  
 12 board.

13 REVIEW OF PROGRAM INTEGRITY DUTIES  
 14 Sec. 4. REVIEW OF PROGRAM INTEGRITY DUTIES —  
 15 WORKGROUP — REPORT.

- 16 1. The director of human services shall convene  
 17 a workgroup comprised of members including the  
 18 commissioner of insurance, the auditor of state, the  
 19 Medicaid director and bureau chiefs of the managed care  
 20 organization oversight and supports bureau, the Iowa  
 21 Medicaid enterprise support bureau, and the medical

22 and long-term services and supports bureau, and a  
23 representative of the program integrity unit, or their  
24 designees; and representatives of other appropriate  
25 state agencies or other entities including but not  
26 limited to the office of the attorney general, the  
27 office of long-term care ombudsman, and the Medicaid  
28 fraud control unit of the investigations division  
29 of the department of inspections and appeals. The  
30 workgroup shall do all of the following:

31 a. Review the duties of each entity with  
32 responsibilities relative to Medicaid program integrity  
33 and managed care organizations; review state and  
34 federal laws, regulations, requirements, guidance, and  
35 policies relating to Medicaid program integrity and

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1 managed care organizations; and review the laws of  
2 other states relating to Medicaid program integrity  
3 and managed care organizations. The workgroup shall  
4 determine areas of duplication, fragmentation,  
5 and gaps; shall identify possible integration,  
6 collaboration and coordination of duties; and shall  
7 determine whether existing general state Medicaid  
8 program and fee-for-service policies, laws, and  
9 rules are sufficient, or if changes or more specific  
10 policies, laws, and rules are required to provide  
11 for comprehensive and effective administration and  
12 oversight of the Medicaid program including under the  
13 fee-for-service and managed care methodologies.

14 b. Review historical uses of the Medicaid  
15 fraud fund created in section 249A.50 and make  
16 recommendations for future uses of the moneys in the  
17 fund and any changes in law necessary to adequately  
18 address program integrity.

19 c. Review medical loss ratio provisions relative  
20 to Medicaid managed care contracts and make  
21 recommendations regarding, at a minimum, requirements  
22 for the necessary collection, maintenance, retention,  
23 reporting, and sharing of data and information by  
24 Medicaid managed care organizations for effective  
25 determination of compliance, and to identify the  
26 costs and activities that should be included in the  
27 calculation of administrative costs, medical costs or  
28 benefit expenses, health quality improvement costs,  
29 and other costs and activities incidental to the  
30 determination of a medical loss ratio.

31 d. Review the capacity of state agencies, including  
32 the need for specialized training and expertise, to  
33 address Medicaid and managed care organization program  
34 integrity and provide recommendations for the provision  
35 of necessary resources and infrastructure, including

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1 annual budget projections.  
 2 e. Review the incentives and penalties applicable  
 3 to violations of program integrity requirements to  
 4 determine their adequacy in combating waste, fraud,  
 5 abuse, and other violations that divert limited  
 6 resources that would otherwise be expended to safeguard  
 7 the health and welfare of Medicaid recipients, and make  
 8 recommendations for necessary adjustments to improve  
 9 compliance.

10 f. Make recommendations regarding the quarterly and  
 11 annual auditing of financial reports required to be  
 12 performed for each Medicaid managed care organization  
 13 to ensure that the activities audited provide  
 14 sufficient information to the division of insurance  
 15 of the department of commerce and the department  
 16 of human services to ensure program integrity. The  
 17 recommendations shall also address the need for  
 18 additional audits or other reviews of managed care  
 19 organizations.

20 g. Review and make recommendations to prohibit  
 21 cost-shifting between state and local and public and  
 22 private funding sources for services and supports  
 23 provided to Medicaid recipients whether directly or  
 24 indirectly through the Medicaid program.

25 2. The department of human services shall submit  
 26 a report of the workgroup to the governor, the health  
 27 policy oversight committee created in section 2.45,  
 28 and the general assembly initially, on or before  
 29 November 15, 2016, and on or before November 15,  
 30 on an annual basis thereafter, to provide findings  
 31 and recommendations for a coordinated approach  
 32 to comprehensive and effective administration and  
 33 oversight of the Medicaid program including under the  
 34 fee-for-service and managed care methodologies.

35 MEDICAID REINVESTMENT FUND

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1 Sec. 5. **NEW SECTION. 249A.4C Medicaid reinvestment**  
 2 **fund.**

3 1. A Medicaid reinvestment fund is created in the  
 4 state treasury under the authority of the department.  
 5 The department of human services shall collect an  
 6 initial contribution of five million dollars from each  
 7 of the managed care organizations contracting with the  
 8 state during the fiscal year beginning July 1, 2015,  
 9 for an aggregate amount of fifteen million dollars,  
 10 and shall deposit such amount in the fund to be used  
 11 for Medicaid ombudsman activities through the office  
 12 of long-term care ombudsman. Additionally, moneys



13 from savings realized from the movement of Medicaid  
14 recipients from institutional settings to home and  
15 community-based services, the portion of the capitation  
16 rate withheld from and not returned to Medicaid managed  
17 care organizations at the end of each fiscal year, any  
18 recouped excess of capitation rates paid to Medicaid  
19 managed care organizations, any overpayments recovered  
20 under Medicaid managed care contracts, and any other  
21 savings realized from Medicaid managed care or from  
22 Medicaid program cost-containment efforts, with the  
23 exception of the total amount attributable to the  
24 projected savings from Medicaid managed care based on  
25 the initial capitation rates established for the fiscal  
26 year beginning July 1, 2015, shall be credited to the  
27 Medicaid reinvestment fund.

28 2. Notwithstanding section 8.33, moneys credited  
29 to the fund from any other account or fund shall  
30 not revert to the other account or fund. Moneys  
31 in the fund shall only be used as provided in  
32 appropriations from the fund for the Medicaid program  
33 and for health system transformation and integration,  
34 including but not limited to providing the necessary  
35 infrastructure and resources to protect the interests

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1 of Medicaid recipients, maintaining adequate provider  
2 participation, and ensuring program integrity. Such  
3 uses may include but are not limited to:  
4 a. Ensuring appropriate reimbursement of Medicaid  
5 providers to maintain the type and number of  
6 appropriately trained providers necessary to address  
7 the needs of Medicaid recipients.  
8 b. Providing home and community-based services  
9 as necessary to rebalance the long-term services and  
10 supports infrastructure and to reduce Medicaid home and  
11 community-based services waiver waiting lists.  
12 c. Ensuring that a fully functioning independent  
13 Medicaid ombudsman program through the office of  
14 long-term care ombudsman is available to provide  
15 advocacy services and assistance to eligible and  
16 potentially eligible Medicaid recipients.  
17 d. Ensuring adequate and appropriate capacity of  
18 the department of human services as the single state  
19 agency designated to administer and supervise the  
20 administration of the Medicaid program, to ensure  
21 compliance with state and federal law and program  
22 integrity requirements.  
23 e. Addressing workforce issues to ensure a  
24 competent, diverse, and sustainable health care  
25 workforce and to improve access to health care in  
26 underserved areas and among underserved populations,

27 recognizing long-term services and supports as an  
 28 essential component of the health care system.  
 29 *f.* Supporting innovation, longer-term community  
 30 investments, and the activities of local public health  
 31 agencies, aging and disability resource centers and  
 32 service agencies, mental health and disability services  
 33 regions, social services, and child welfare entities  
 34 and other providers of and advocates for services and  
 35 supports to encourage health system transformation

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1 and integration through a broad range of prevention  
 2 strategies and population-based approaches to meet the  
 3 holistic needs of the population as a whole.  
 4 3. The department shall establish a mechanism to  
 5 measure and certify the amount of savings resulting  
 6 from Medicaid managed care and Medicaid program  
 7 cost-containment activities and shall ensure that such  
 8 realized savings are credited to the fund and used as  
 9 provided in appropriations from the fund.

MEDICAID OMBUDSMAN

11 Sec. 6. Section 231.44, Code 2016, is amended to  
12 read as follows:

13 **231.44 Utilization of resources — assistance and**  
14 **advocacy related to long-term services and supports**  
15 **under the Medicaid program.**

16 1. The office of long-term care ombudsman ~~may~~  
 17 shall utilize its available resources to provide  
 18 assistance and advocacy services to eligible recipients  
 19 of long-term services and supports, or individuals  
 20 seeking long-term services and supports, and the  
 21 families or legal representatives of such eligible  
 22 ~~recipients, of long-term services and supports provided~~  
 23 ~~through individuals under~~ the Medicaid program. Such  
 24 assistance and advocacy shall include but is not  
 25 limited to all of the following:

- 26 *a.* Assisting ~~recipients~~ such individuals in
- 27 understanding the services, coverage, and access
- 28 provisions and their rights under Medicaid managed
- 29 care.
- 30 *b.* Developing procedures for the tracking and
- 31 reporting of the outcomes of individual requests for
- 32 assistance, the obtaining of necessary services and
- 33 supports, and other aspects of the services provided to
- 34 ~~eligible recipients~~ such individuals.
- 35 *c.* Providing advice and assistance relating to the

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1 preparation and filing of complaints, grievances, and  
 2 appeals of complaints or grievances, including through  
 3 processes available under managed care plans and the

4 state appeals process, relating to long-term services  
5 and supports under the Medicaid program.  
6 d. Accessing the results of a review of a level  
7 of care assessment or reassessment by a managed care  
8 organization in which the managed care organization  
9 recommends denial or limited authorization of a  
10 service, including the type or level of service, the  
11 reduction, suspension, or termination of a previously  
12 authorized service, or a change in level of care, upon  
13 the request of an affected individual.  
14 e. Receiving notices of disenrollment or notices  
15 that would result in a change in level of care for  
16 affected individuals, including involuntary and  
17 voluntary discharges or transfers, from the department  
18 of human services or a managed care organization.  
19 2. A representative of the office of long-term care  
20 ombudsman providing assistance and advocacy services  
21 authorized under this section for an individual,  
22 shall be provided access to the individual, and shall  
23 be provided access to the individual's medical and  
24 social records as authorized by the individual or the  
25 individual's legal representative, as necessary to  
26 carry out the duties specified in this section.  
27 3. A representative of the office of long-term care  
28 ombudsman providing assistance and advocacy services  
29 authorized under this section for an individual, shall  
30 be provided access to administrative records related to  
31 the provision of the long-term services and supports to  
32 the individual, as necessary to carry out the duties  
33 specified in this section.  
34 4. The office of long-term care ombudsman and  
35 representatives of the office, when providing

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1 assistance and advocacy services under this section,  
2 shall be considered a health oversight agency as  
3 defined in 45 C.F.R. §164.501 for the purposes of  
4 health oversight activities as described in 45 C.F.R.  
5 §164.512(d) including access to the health records  
6 and other appropriate information of an individual,  
7 including from the department of human services or  
8 the applicable Medicaid managed care organization,  
9 as necessary to fulfill the duties specified under  
10 this section. The department of human services,  
11 in collaboration with the office of long-term care  
12 ombudsman, shall adopt rules to ensure compliance  
13 by affected entities with this subsection and to  
14 ensure recognition of the office of long-term care  
15 ombudsman as a duly authorized and identified agent or  
16 representative of the state.  
17 5. The department of human services and Medicaid

18 managed care organizations shall inform eligible  
 19 and potentially eligible Medicaid recipients of the  
 20 advocacy services and assistance available through the  
 21 office of long-term care ombudsman and shall provide  
 22 contact and other information regarding the advocacy  
 23 services and assistance to eligible and potentially  
 24 eligible Medicaid recipients as directed by the office  
 25 of long-term care ombudsman.

26 6. When providing assistance and advocacy services  
 27 under this section, the office of long-term care  
 28 ombudsman shall act as an independent agency, and the  
 29 office of long-term care ombudsman and representatives  
 30 of the office shall be free of any undue influence that  
 31 restrains the ability of the office or the office's  
 32 representatives from providing such services and  
 33 assistance.

34 7. The office of long-term care ombudsman shall, in  
 35 addition to other duties prescribed and at a minimum,

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1 do all of the following in the furtherance of the  
 2 provision of advocacy services and assistance under  
 3 this section:  
 4 a. Represent the interests of eligible and  
 5 potentially eligible Medicaid recipients before  
 6 governmental agencies.  
 7 b. Analyze, comment on, and monitor the development  
 8 and implementation of federal, state, and local laws,  
 9 regulations, and other governmental policies and  
 10 actions, and recommend any changes in such laws,  
 11 regulations, policies, and actions as determined  
 12 appropriate by the office of long-term care ombudsman.  
 13 c. To maintain transparency and accountability for  
 14 activities performed under this section, including  
 15 for the purposes of claiming federal financial  
 16 participation for activities that are performed to  
 17 assist with administration of the Medicaid program:  
 18 (1) Have complete and direct responsibility for the  
 19 administration, operation, funding, fiscal management,  
 20 and budget related to such activities, and directly  
 21 employ, oversee, and supervise all paid and volunteer  
 22 staff associated with these activities.  
 23 (2) Establish separation-of-duties requirements,  
 24 provide limited access to work space and work  
 25 product for only necessary staff, and limit access to  
 26 documents and information as necessary to maintain the  
 27 confidentiality of the protected health information of  
 28 individuals served under this section.  
 29 (3) Collect and submit, annually, to the governor,  
 30 the health policy oversight committee created in  
 31 section 2.45, and the general assembly, all of the

32 following with regard to those seeking advocacy  
 33 services or assistance under this section;  
 34 (a) The number of contacts by contact type and  
 35 geographic location.

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1 (b) The type of assistance requested including the  
 2 name of the managed care organization involved, if  
 3 applicable.  
 4 (c) The time frame between the time of the initial  
 5 contact and when an initial response was provided.  
 6 (d) The amount of time from the initial contact to  
 7 resolution of the problem or concern.  
 8 (e) The actions taken in response to the request  
 9 for advocacy or assistance.  
 10 (f) The outcomes of requests to address problems or  
 11 concerns.

12 4. 8. For the purposes of this section:

13 *a. "Institutional setting"* includes a long-term care  
 14 facility, an elder group home, or an assisted living  
 15 program.

16 *b. "Long-term services and supports"* means the broad  
 17 range of health, health-related, and personal care  
 18 assistance services and supports, provided in both  
 19 institutional settings and home and community-based  
 20 settings, necessary for older individuals and persons  
 21 with disabilities who experience limitations in their  
 22 capacity for self-care due to a physical, cognitive, or  
 23 mental disability or condition.

24 **Sec. 7. NEW SECTION. 231.44A Willful interference**  
 25 **with duties related to long-term services and supports**  
 26 **— penalty.**

27 Willful interference with a representative of the  
 28 office of long-term care ombudsman in the performance  
 29 of official duties in accordance with section 231.44  
 30 is a violation of section 231.44, subject to a penalty  
 31 prescribed by rule. The office of long-term care  
 32 ombudsman shall adopt rules specifying the amount of a  
 33 penalty imposed, consistent with the penalties imposed  
 34 under section 231.42, subsection 8, and specifying  
 35 procedures for notice and appeal of penalties imposed.

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1 Any moneys collected pursuant to this section shall be  
 2 deposited in the Medicaid reinvestment fund created in  
 3 section 249A.4C.

4 **MEDICAL ASSISTANCE ADVISORY COUNCIL**

5 **Sec. 8. Section 249A.4B, Code 2016, is amended to**  
 6 **read as follows:**

7 **249A.4B Medical assistance advisory council.**

8 1. A medical assistance advisory council is  
 9 created to comply with 42 C.F.R. §431.12 based on  
 10 section 1902(a)(4) of the federal Social Security Act  
 11 and to advise the director about health and medical  
 12 care services under the ~~medical assistance~~ Medicaid  
 13 program, participate in Medicaid policy development  
 14 and program administration, and provide guidance on  
 15 key issues related to the Medicaid program, whether  
 16 administered under a fee-for-service, managed care, or  
 17 other methodology, including but not limited to access  
 18 to care, quality of care, and service delivery.

19 a. The council shall have the opportunity for  
 20 participation in policy development and program  
 21 administration, including furthering the participation  
 22 of recipients of the program, and without limiting this  
 23 general authority shall specifically do all of the  
 24 following:

25 (1) Formulate, review, evaluate, and recommend  
 26 policies, rules, agency initiatives, and legislation  
 27 pertaining to the Medicaid program. The council shall  
 28 have the opportunity to comment on proposed rules  
 29 prior to commencement of the rulemaking process and on  
 30 waivers and state plan amendment applications.

31 (2) Prior to the annual budget development process,  
 32 engage in setting priorities, including consideration  
 33 of the scope and utilization management criteria  
 34 for benefits, beneficiary eligibility, provider and  
 35 services reimbursement rates, and other budgetary

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1 issues.

2 (3) Provide oversight for and review of the  
 3 administration of the Medicaid program.

4 (4) Ensure that the membership of the council  
 5 effectively represents all relevant and concerned  
 6 viewpoints, particularly those of consumers, providers,  
 7 and the general public; create public understanding;  
 8 and ensure that the services provided under the  
 9 Medicaid program meet the needs of the people served.

10 b. The council shall meet ~~no more than~~ at least  
 11 quarterly, and prior to the next subsequent meeting  
 12 of the executive committee. ~~The director of public~~  
 13 health. ~~The public member acting as a co-chairperson~~  
 14 of the executive committee and the professional or  
 15 business entity member acting as a co-chairperson of  
 16 the executive committee, shall serve as ~~chairperson~~  
 17 co-chairpersons of the council.

18 2. The council shall include all of the following  
 19 voting members:

20 a. The president, or the president's  
 21 representative, of each of the following professional

- 22 or business entities, or a member of each of the  
 23 following professional or business entities, selected  
 24 by the entity:
- 25 (1) The Iowa medical society.
  - 26 (2) The Iowa osteopathic medical association.
  - 27 (3) The Iowa academy of family physicians.
  - 28 (4) The Iowa chapter of the American academy of  
 29 pediatrics.
  - 30 (5) The Iowa physical therapy association.
  - 31 (6) The Iowa dental association.
  - 32 (7) The Iowa nurses association.
  - 33 (8) The Iowa pharmacy association.
  - 34 (9) The Iowa podiatric medical society.
  - 35 (10) The Iowa optometric association.

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- 1 (11) The Iowa association of community providers.
- 2 (12) The Iowa psychological association.
- 3 (13) The Iowa psychiatric society.
- 4 (14) The Iowa chapter of the national association  
 5 of social workers.
- 6 (15) The coalition for family and children's  
 7 services in Iowa.
- 8 (16) The Iowa hospital association.
- 9 (17) The Iowa association of rural health clinics.
- 10 (18) The Iowa primary care association.
- 11 (19) Free clinics of Iowa.
- 12 (20) The opticians' association of Iowa, inc.
- 13 (21) The Iowa association of hearing health  
 14 professionals.
- 15 (22) The Iowa speech and hearing association.
- 16 (23) The Iowa health care association.
- 17 (24) The Iowa association of area agencies on  
 18 aging.
- 19 (25) AARP.
- 20 (26) The Iowa caregivers association.
- 21 (27) The Iowa coalition of home and community-based  
 22 services for seniors.
- 23 (28) The Iowa adult day services association.
- 24 (29) Leading age Iowa.
- 25 (30) The Iowa association for home care.
- 26 (31) The Iowa council of health care centers.
- 27 (32) The Iowa physician assistant society.
- 28 (33) The Iowa association of nurse practitioners.
- 29 (34) The Iowa nurse practitioner society.
- 30 (35) The Iowa occupational therapy association.
- 31 (36) The ARC of Iowa, formerly known as the  
 32 association for retarded citizens of Iowa.
- 33 (37) The national alliance for the mentally ill on  
 34 mental illness of Iowa.
- 35 (38) The Iowa state association of counties.

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- 1 (39) The Iowa developmental disabilities council.  
 2 (40) The Iowa chiropractic society.  
 3 (41) The Iowa academy of nutrition and dietetics.  
 4 (42) The Iowa behavioral health association.  
 5 (43) The midwest association for medical equipment  
 6 services or an affiliated Iowa organization.  
 7 (44) The Iowa public health association.  
 8 (45) The epilepsy foundation.  
 9 *b.* Public representatives which may include members  
 10 of consumer groups, including recipients of medical  
 11 assistance or their families, consumer organizations,  
 12 and others, which shall be appointed by the governor  
 13 in equal in number to the number of representatives of  
 14 the professional and business entities specifically  
 15 represented under paragraph "a", appointed by the  
 16 governor for staggered terms of two years each, none  
 17 of whom shall be members of, or practitioners of, or  
 18 have a pecuniary interest in any of the professional  
 19 or business entities specifically represented under  
 20 paragraph "a", and a majority of whom shall be current  
 21 or former recipients of medical assistance or members  
 22 of the families of current or former recipients.  
 23 3. The council shall include all of the following  
 24 nonvoting members:  
 25 *e. a.* The director of public health, or the  
 26 director's designee.  
 27 *d. b.* The director of the department on aging, or  
 28 the director's designee.  
 29 *c.* The state long-term care ombudsman, or the  
 30 ombudsman's designee.  
 31 *d.* The ombudsman appointed pursuant to section  
 32 2C.3, or the ombudsman's designee.  
 33 *e.* The dean of Des Moines university — osteopathic  
 34 medical center, or the dean's designee.  
 35 *f.* The dean of the university of Iowa college of

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- 1 medicine, or the dean's designee.  
 2 *g.* The following members of the general assembly,  
 3 each for a term of two years as provided in section  
 4 69.16B:  
 5 (1) Two members of the house of representatives,  
 6 one appointed by the speaker of the house of  
 7 representatives and one appointed by the minority  
 8 leader of the house of representatives from their  
 9 respective parties.  
 10 (2) Two members of the senate, one appointed by the  
 11 president of the senate after consultation with the  
 12 majority leader of the senate and one appointed by the



13 minority leader of the senate.

14 ~~3. 4. a.~~ An executive committee of the council is  
15 created and shall consist of the following members of  
16 the council:

17 (1) As voting members:

18 (a) Five of the professional or business entity  
19 members designated pursuant to subsection 2, paragraph  
20 "a", and selected by the members specified under that  
21 paragraph.

22 ~~(2) (b)~~ Five of the public members appointed  
23 pursuant to subsection 2, paragraph "b", and selected  
24 by the members specified under that paragraph. Of the  
25 five public members, at least one member shall be a  
26 recipient of medical assistance.

27 ~~(3) (2)~~ As nonvoting members:

28 (a) The director of public health, or the  
29 director's designee.

30 (b) The director of the department on aging, or the  
31 director's designee.

32 (c) The state long-term care ombudsman, or the  
33 ombudsman's designee.

34 (d) The ombudsman appointed pursuant to section  
35 2C.3, or the ombudsman's designee.

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1 b. The executive committee shall meet on a monthly  
2 basis. ~~The director of public health~~ A public member  
3 of the executive committee selected by the public  
4 members appointed pursuant to subsection 2, paragraph  
5 "b", and a professional or business entity member of  
6 the executive committee selected by the professional  
7 or business entity members appointed pursuant to  
8 subsection 2, paragraph "a", shall serve as chairperson  
9 co-chairpersons of the executive committee.

10 c. Based upon the deliberations of the council,  
11 ~~and the executive committee, and the subcommittees,~~  
12 the executive committee, the council, and the  
13 subcommittees, respectively, shall make recommendations  
14 to the director, to the health policy oversight  
15 committee created in section 2.45, to the general  
16 assembly's joint appropriations subcommittee on health  
17 and human services, and to the general assembly's  
18 standing committees on human resources regarding the  
19 budget, policy, and administration of the medical  
20 assistance program.

21 5. a. The council shall create the following  
22 subcommittees, and may create additional subcommittees  
23 as necessary to address Medicaid program policies,  
24 administration, budget, and other factors and issues:

25 (1) A stakeholder safeguards subcommittee, for  
26 which the co-chairpersons shall be a public member

27 of the council appointed pursuant to subsection 2,  
 28 paragraph “b” and selected by the public members of  
 29 the council, and a representative of a professional  
 30 or business entity appointed pursuant to subsection  
 31 2, paragraph “a” and selected by the professional or  
 32 business entity representatives of the council. The  
 33 mission of the stakeholder safeguards subcommittee  
 34 is to provide for ongoing stakeholder engagement and  
 35 feedback on issues affecting Medicaid recipients.

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1 providers, and other stakeholders, including but not  
 2 limited to benefits such as transportation, benefit  
 3 utilization management, the inclusion of out-of-state  
 4 and out-of-network providers and the use of single-case  
 5 agreements, and reimbursement of providers and  
 6 services.  
 7 (2) The long-term services and supports  
 8 subcommittee which shall be chaired by the state  
 9 long-term care ombudsman, or the ombudsman’s designee.  
 10 The mission of the long-term services and supports  
 11 subcommittee is to be a resource and to provide advice  
 12 on policy development and program administration  
 13 relating to Medicaid long-term services and supports  
 14 including but not limited to developing outcomes and  
 15 performance measures for Medicaid managed care for the  
 16 long-term services and supports population; addressing  
 17 issues related to home and community-based services  
 18 waivers and waiting lists; and reviewing the system of  
 19 long-term services and supports to ensure provision of  
 20 home and community-based services and the rebalancing  
 21 of the health care infrastructure in accordance with  
 22 state and federal law including but not limited to the  
 23 principles established in Olmstead v. L.C., 527 U.S.  
 24 581 (1999) and the federal Americans with Disabilities  
 25 Act and in a manner that reflects a sustainable,  
 26 person-centered approach to improve health and life  
 27 outcomes, supports maximum independence, addresses  
 28 medical and social needs in a coordinated, integrated  
 29 manner, and provides for sufficient resources including  
 30 a stable, well-qualified workforce. The subcommittee  
 31 shall also address and make recommendations regarding  
 32 the need for an ombudsman function for eligible and  
 33 potentially eligible Medicaid recipients beyond the  
 34 long-term services and supports population.  
 35 (3) The transparency, data, and program evaluation

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1 subcommittee which shall be chaired by the director of  
 2 the university of Iowa public policy center, or the  
 3 director’s designee. The mission of the transparency,

4 data, and program evaluation subcommittee is to  
5 ensure Medicaid program transparency: ensure the  
6 collection, maintenance, retention, reporting, and  
7 analysis of sufficient and meaningful data to provide  
8 transparency and inform policy development and program  
9 effectiveness; support development and administration  
10 of a consumer-friendly dashboard; and promote the  
11 ongoing evaluation of Medicaid stakeholder satisfaction  
12 with the Medicaid program.

13 (4) The program integrity subcommittee which shall  
14 be chaired by the Medicaid director, or the director's  
15 designee. The mission of the program integrity  
16 subcommittee is to ensure that a comprehensive system  
17 including specific policies, laws, and rules and  
18 adequate resources and measures are in place to  
19 effectively administer the program and to maintain  
20 compliance with federal and state program integrity  
21 requirements.

22 (5) A health workforce subcommittee, co-chaired  
23 by the bureau chief of the bureau of oral and health  
24 delivery systems of the department of public health,  
25 or the bureau chief's designee, and the director of  
26 the national alliance on mental illness of Iowa, or  
27 the director's designee. The mission of the health  
28 workforce subcommittee is to assess the sufficiency  
29 and proficiency of the current and projected health  
30 workforce; identify barriers to and gaps in health  
31 workforce development initiatives and health  
32 workforce data to provide foundational, evidence-based  
33 information to inform policymaking and resource  
34 allocation; evaluate the most efficient application  
35 and utilization of roles, functions, responsibilities,

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1 activities, and decision-making capacity of health  
2 care professionals and other allied and support  
3 personnel; and make recommendations for improvement  
4 in, and alternative modes of, health care delivery in  
5 order to provide a competent, diverse, and sustainable  
6 health workforce in the state. The subcommittee shall  
7 work in collaboration with the office of statewide  
8 clinical education programs of the university of Iowa  
9 Carver college of medicine, Des Moines university,  
10 Iowa workforce development, and other entities with  
11 interest or expertise in the health workforce in  
12 carrying out the subcommittee's duties and developing  
13 recommendations.

14 b. The co-chairpersons of the council shall  
15 appoint members to each subcommittee from the general  
16 membership of the council. Consideration in appointing  
17 subcommittee members shall include the individual's

18 knowledge about, and interest or expertise in, matters  
 19 that come before the subcommittee.  
 20 c. Subcommittees shall meet at the call of the  
 21 co-chairpersons or chairperson of the subcommittee,  
 22 or at the request of a majority of the members of the  
 23 subcommittee.  
 24 4. 6. For each council meeting, executive  
 25 committee meeting, or subcommittee meeting, a quorum  
 26 shall consist of fifty percent of the membership  
 27 qualified to vote. Where a quorum is present, a  
 28 position is carried by a majority of the members  
 29 qualified to vote.  
 30 7. For each council meeting, other than those  
 31 held during the time the general assembly is in  
 32 session, each legislative member of the council shall  
 33 be reimbursed for actual travel and other necessary  
 34 expenses and shall receive a per diem as specified in  
 35 section 7E.6 for each day in attendance, as shall the

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1 members of the council, ~~or~~ the executive committee,  
 2 or a subcommittee, for each day in attendance at a  
 3 council, executive committee, or subcommittee meeting,  
 4 who are recipients or the family members of recipients  
 5 of medical assistance, regardless of whether the  
 6 general assembly is in session.  
 7 5. 8. The department shall provide staff support  
 8 and independent technical assistance to the council,  
 9 and the executive committee, and the subcommittees.  
 10 6. 9. The director shall ~~consider~~ comply with  
 11 the requirements of this section regarding the  
 12 duties of the council, and the deliberations and  
 13 recommendations ~~offered by~~ of the council, and the  
 14 executive committee, and the subcommittees shall be  
 15 reflected in the director's preparation of medical  
 16 assistance budget recommendations to the council  
 17 on human services pursuant to section 217.3, ~~and~~ in  
 18 implementation of medical assistance program policies,  
 19 and in administration of the Medicaid program.  
 20 10. The council, executive committee, and  
 21 subcommittees shall jointly submit quarterly reports  
 22 to the health policy oversight committee created in  
 23 section 2.45 and shall jointly submit a report to the  
 24 governor and the general assembly initially by January  
 25 1, 2017, and annually, therefore, summarizing the  
 26 outcomes and findings of their respective deliberations  
 27 and any recommendations including but not limited to  
 28 those for changes in law or policy.  
 29 11. The council, executive committee, and  
 30 subcommittees may enlist the services of persons who  
 31 are qualified by education, expertise, or experience

32 to advise, consult with, or otherwise assist the  
 33 council, executive committee, or subcommittees in the  
 34 performance of their duties. The council, executive  
 35 committee, or subcommittees may specifically enlist

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1 the assistance of entities such as the university of  
 2 Iowa public policy center to provide ongoing evaluation  
 3 of the Medicaid program and to make evidence-based  
 4 recommendations to improve the program. The council,  
 5 executive committee, and subcommittees shall enlist  
 6 input from the patient-centered health advisory council  
 7 created in section 135.159, the mental health and  
 8 disabilities services commission created in section  
 9 225C.5, the commission on aging created in section  
 10 231.11, the bureau of substance abuse of the department  
 11 of public health, the Iowa developmental disabilities  
 12 council, and other appropriate state and local entities  
 13 to provide advice to the council, executive committee,  
 14 and subcommittees.

15 12. The department, in accordance with 42 C.F.R.  
 16 §431.12, shall seek federal financial participation for  
 17 the activities of the council, the executive committee,  
 18 and the subcommittees.

19 PATIENT-CENTERED HEALTH RESOURCES AND INFRASTRUCTURE

20 Sec. 9. Section 135.159, subsection 2, Code 2016,  
 21 is amended to read as follows:

22 2. a. The department shall establish a  
 23 patient-centered health advisory council which shall  
 24 include but is not limited to all of the following  
 25 members, selected by their respective organizations,  
 26 and any other members the department determines  
 27 necessary to assist in the ~~department's duties at~~  
 28 ~~various stages of~~ development of the medical home  
 29 system and in the transformation to a patient-centered  
 30 infrastructure that integrates and coordinates services  
 31 and supports to address social determinants of health  
 32 and meet population health goals:

- 33 (1) The director of human services, or the  
 34 director's designee.  
 35 (2) The commissioner of insurance, or the

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- 1 commissioner's designee.  
 2 (3) A representative of the federation of Iowa  
 3 insurers.  
 4 (4) A representative of the Iowa dental  
 5 association.  
 6 (5) A representative of the Iowa nurses  
 7 association.

- 8 (6) A physician and an osteopathic physician  
 9 licensed pursuant to chapter 148 who are family  
 10 physicians and members of the Iowa academy of family  
 11 physicians.
- 12 (7) A health care consumer.
- 13 (8) A representative of the Iowa collaborative  
 14 safety net provider network established pursuant to  
 15 section 135.153.
- 16 (9) A representative of the Iowa developmental  
 17 disabilities council.
- 18 (10) A representative of the Iowa chapter of the  
 19 American academy of pediatrics.
- 20 (11) A representative of the child and family  
 21 policy center.
- 22 (12) A representative of the Iowa pharmacy  
 23 association.
- 24 (13) A representative of the Iowa chiropractic  
 25 society.
- 26 (14) A representative of the university of Iowa  
 27 college of public health.
- 28 (15) A representative of the Iowa public health  
 29 association.
- 30 (16) A representative of the area agencies on  
 31 aging.
- 32 (17) A representative of the mental health and  
 33 disability services regions.
- 34 (18) A representative of early childhood Iowa.  
 35 b. Public members of the patient-centered health

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- 1 advisory council shall receive reimbursement for  
 2 actual expenses incurred while serving in their  
 3 official capacity only if they are not eligible for  
 4 reimbursement by the organization that they represent.
- 5 c. (1) Beginning July 1, 2016, the  
 6 patient-centered health advisory council shall  
 7 do all of the following:
- 8 (a) Review and make recommendations to the  
 9 department and to the general assembly regarding  
 10 the building of effective working relationships and  
 11 strategies to support state-level and community-level  
 12 integration, to provide cross-system coordination  
 13 and synchronization, and to more appropriately align  
 14 health delivery models and service sectors, including  
 15 but not limited to public health, aging and disability  
 16 services agencies, mental health and disability  
 17 services regions, social services, child welfare, and  
 18 other providers, agencies, organizations, and sectors  
 19 to address social determinants of health, holistic  
 20 well-being, and population health goals. Such review  
 21 and recommendations shall include a review of funding

22 streams and recommendations for blending and braiding  
 23 funding to support these efforts.

24 (b) Assist in efforts to evaluate the health  
 25 workforce to inform policymaking and resource  
 26 allocation.

27 (2) The patient-centered health advisory council  
 28 shall submit a report to the department, the health  
 29 policy oversight committee created in section 2.45, and  
 30 the general assembly, initially, on or before December  
 31 15, 2016, and on or before December 15, annually,  
 32 thereafter, including any findings or recommendations  
 33 resulting from the council's deliberations.

#### 34 HAWK-I PROGRAM

35 Sec. 10. Section 514I.5, subsection 8, paragraph

Page 29

1 d, Code 2016, is amended by adding the following new  
 2 subparagraph:

3 NEW SUBPARAGRAPH. (17) Occupational therapy.

4 Sec. 11. Section 514I.5, subsection 8, Code 2016,  
 5 is amended by adding the following new paragraph:  
 6 NEW PARAGRAPH. *m.* The definition of medically  
 7 necessary and the utilization management criteria under  
 8 the hawk-i program in order to ensure that benefits  
 9 are uniformly and consistently provided across all  
 10 participating insurers in the type and manner that  
 11 reflects and appropriately meets the needs, including  
 12 but not limited to the habilitative and rehabilitative  
 13 needs, of the child population including those children  
 14 with special health care needs.

#### 15 MEDICAID PROGRAM POLICY IMPROVEMENT

16 Sec. 12. DIRECTIVES FOR MEDICAID PROGRAM POLICY

17 IMPROVEMENTS. In order to safeguard the interests  
 18 of Medicaid recipients, encourage the participation  
 19 of Medicaid providers, and protect the interests  
 20 of all taxpayers, the department of human services  
 21 shall comply with or ensure that the specified entity  
 22 complies with all of the following and shall amend  
 23 Medicaid managed care contract provisions as necessary  
 24 to reflect all of the following:

25 1. CONSUMER PROTECTIONS.

26 a. In accordance with 42 C.F.R. §438.420, a  
 27 Medicaid managed care organization shall continue a  
 28 recipient's benefits during an appeal process. If, as  
 29 allowed when final resolution of an appeal is adverse  
 30 to the Medicaid recipient, the Medicaid managed care  
 31 organization chooses to recover the costs of the  
 32 services furnished to the recipient while an appeal is  
 33 pending, the Medicaid managed care organization shall  
 34 provide adequate prior notice of potential recovery  
 35 of costs to the recipient at the time the appeal is

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1 filed, and any costs recovered shall be remitted to  
2 the department of human services and deposited in the  
3 Medicaid reinvestment fund created in section 249A.4C.  
4 b. Ensure that each Medicaid managed care  
5 organization provides, at a minimum, all the benefits  
6 and services deemed medically necessary that were  
7 covered, including to the extent and in the same manner  
8 and subject to the same prior authorization criteria,  
9 by the state program directly under fee for service  
10 prior to January 1, 2016. Benefits covered through  
11 Medicaid managed care shall comply with the specific  
12 requirements in state law applicable to the respective  
13 Medicaid recipient population under fee for service.  
14 c. Enhance monitoring of the reduction in or  
15 suspension or termination of services provided to  
16 Medicaid recipients, including reductions in the  
17 provision of home and community-based services waiver  
18 services or increases in home and community-based  
19 services waiver waiting lists. Medicaid managed care  
20 organizations shall provide data to the department  
21 as necessary for the department to compile periodic  
22 reports on the numbers of individuals transferred from  
23 state institutions and long-term care facilities to  
24 home and community-based services, and the associated  
25 savings. Any savings resulting from the transfers as  
26 certified by the department shall be deposited in the  
27 Medicaid reinvestment fund created in section 249A.4C.  
28 d. (1) Require each Medicaid managed care  
29 organization to adhere to reasonableness and service  
30 authorization standards that are appropriate for and  
31 do not disadvantage those individuals who have ongoing  
32 chronic conditions or who require long-term services  
33 and supports. Services and supports for individuals  
34 with ongoing chronic conditions or who require  
35 long-term services and supports shall be authorized in

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1 a manner that reflects the recipient's continuing need  
2 for such services and supports, and limits shall be  
3 consistent with a recipient's current needs assessment  
4 and person-centered service plan.  
5 (2) In addition to other provisions relating to  
6 community-based case management continuity of care  
7 requirements, Medicaid managed care contractors shall  
8 provide the option to the case manager of a Medicaid  
9 recipient who retained the case manager during the  
10 six months of transition to Medicaid managed care, if  
11 the recipient chooses to continue to retain that case  
12 manager beyond the six-month transition period and



13 if the case manager is not otherwise a participating  
14 provider of the recipient's managed care organization  
15 provider network, to enter into a single case agreement  
16 to continue to provide case management services to the  
17 Medicaid recipient.

18 e. Ensure that Medicaid recipients are provided  
19 care coordination and case management by appropriately  
20 trained professionals in a conflict-free manner. Care  
21 coordination and case management shall be provided  
22 in a patient-centered and family-centered manner  
23 that requires a knowledge of community supports, a  
24 reasonable ratio of care coordinators and case managers  
25 to Medicaid recipients, standards for frequency of  
26 contact with the Medicaid recipient, and specific and  
27 adequate reimbursement.

28 f. A Medicaid managed care contract shall include  
29 a provision for continuity and coordination of care  
30 for a consumer transitioning to Medicaid managed care,  
31 including maintaining existing provider-recipient  
32 relationships and honoring the amount, duration, and  
33 scope of a recipient's authorized services based on  
34 the recipient's medical history and needs. In the  
35 initial transition to Medicaid managed care, to ensure

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1 the least amount of disruption, Medicaid managed  
2 care organizations shall provide, at a minimum, a  
3 one-year transition of care period for all provider  
4 types, regardless of network status with an individual  
5 Medicaid managed care organization.

6 g. Ensure that a Medicaid managed care organization  
7 does not arbitrarily deny coverage for medically  
8 necessary services based solely on financial reasons  
9 and does not shift the responsibility for provision of  
10 services or payment of costs of services to another  
11 entity to avoid costs or attain savings.

12 h. Ensure that dental coverage, if not integrated  
13 into an overall Medicaid managed care contract, is  
14 part of the overall holistic, integrated coverage  
15 for physical, behavioral, and long-term services and  
16 supports provided to a Medicaid recipient.

17 i. Require each Medicaid managed care organization  
18 to verify the offering and actual utilization of  
19 services and supports and value-added services,  
20 an individual recipient's encounters and the costs  
21 associated with each encounter, and requests and  
22 associated approvals or denials of services.  
23 Verification of actual receipt of services and supports  
24 and value-added services shall, at a minimum, consist  
25 of comparing receipt of service against both what  
26 was authorized in the recipient's benefit or service

27 plan and what was actually reimbursed. Value-added  
 28 services shall not be reportable as allowable medical  
 29 or administrative costs or factored into rate setting,  
 30 and the costs of value-added services shall not be  
 31 passed on to recipients or providers.  
 32 j. Provide periodic reports to the governor and  
 33 the general assembly regarding changes in quality of  
 34 care and health outcomes for Medicaid recipients under  
 35 managed care compared to quality of care and health

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1 outcomes of the same populations of Medicaid recipients  
 2 prior to January 1, 2016.  
 3 k. Require each Medicaid managed care organization  
 4 to maintain records of complaints, grievances, and  
 5 appeals, and report the number and types of complaints,  
 6 grievances, and appeals filed, the resolution of each,  
 7 and a description of any patterns or trends identified  
 8 to the department of human services and the health  
 9 policy oversight committee created in section 2.45,  
 10 on a monthly basis. The department shall review and  
 11 compile the data on a quarterly basis and make the  
 12 compilations available to the public. Following review  
 13 of reports submitted by the department, a Medicaid  
 14 managed care organization shall take any corrective  
 15 action required by the department and shall be subject  
 16 to any applicable penalties.  
 17 l. Require Medicaid managed care organizations to  
 18 survey Medicaid recipients, to collect satisfaction  
 19 data using a uniform instrument, and to provide a  
 20 detailed analysis of recipient satisfaction as well as  
 21 various metrics regarding the volume of and timelines  
 22 in responding to recipient complaints and grievances as  
 23 directed by the department of human services.  
 24 m. Require managed care organizations to allow a  
 25 recipient to request that the managed care organization  
 26 enter into a single case agreement with a recipient's  
 27 out-of-network provider, including a provider outside  
 28 of the state, to provide for continuity of care when  
 29 the recipient has an existing relationship with the  
 30 provider to provide a covered benefit, or to ensure  
 31 adequate or timely access to a provider of a covered  
 32 benefit when the managed care organization provider  
 33 network cannot ensure such adequate or timely access.  
 34 2. CHILDREN.  
 35 a. (1) The hawk-i board shall retain all authority

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1 specified under chapter 514I relative to the children  
 2 eligible under section 514I.8 to participate in the  
 3 hawk-i program, including but not limited to approving

4 any contract entered into pursuant to chapter 514I;  
5 approving the benefit package design, reviewing the  
6 benefit package design, and making necessary changes  
7 to reflect the results of the reviews; and adopting  
8 rules for the hawk-i program including those related  
9 to qualifying standards for selecting participating  
10 insurers for the program and the benefits to be  
11 included in a health plan.

12 (2) The hawk-i board shall review benefit plans  
13 and utilization review provisions and ensure that  
14 benefits provided to children under the hawk-i program,  
15 at a minimum, reflect those required by state law as  
16 specified in section 514I.5, include both habilitative  
17 and rehabilitative services, and are provided as  
18 medically necessary relative to the child population  
19 served and based on the needs of the program recipient  
20 and the program recipient's medical history.

21 (3) The hawk-i board shall work with the department  
22 of human services to coordinate coverage and care for  
23 the population of children in the state eligible for  
24 either Medicaid or hawk-i coverage so that, to the  
25 greatest extent possible, the two programs provide for  
26 continuity of care as children transition between the  
27 two programs or to private health care coverage. To  
28 this end, all contracts with participating insurers  
29 providing coverage under the hawk-i program and with  
30 all managed care organizations providing coverage for  
31 children eligible for Medicaid shall do all of the  
32 following:

33 (a) Specifically and appropriately address  
34 the unique needs of children and children's health  
35 delivery.

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1 (b) Provide for the maintaining of child health  
2 panels that include representatives of child health,  
3 welfare, policy, and advocacy organizations in the  
4 state that address child health and child well-being.

5 (c) Address early intervention and prevention  
6 strategies, the provision of a child health care  
7 delivery infrastructure for children with special  
8 health care needs, utilization of current standards  
9 and guidelines for children's health care and  
10 pediatric-specific screening and assessment tools,  
11 the inclusion of pediatric specialty providers in  
12 the provider network, and the utilization of health  
13 homes for children and youth with special health  
14 care needs including intensive care coordination  
15 and family support and access to a professional  
16 family-to-family support system. Such contracts  
17 shall utilize pediatric-specific quality measures

18 and assessment tools which shall align with existing  
19 pediatric-specific measures as determined in  
20 consultation with the child health panel and approved  
21 by the hawk-i board.

22 (d) Provide special incentives for innovative  
23 and evidence-based preventive, behavioral, and  
24 developmental health care and mental health care  
25 for children's programs that improve the life course  
26 trajectory of these children.

27 (e) Provide that information collected from the  
28 pediatric-specific assessments be used to identify  
29 health risks and social determinants of health that  
30 impact health outcomes. Such data shall be used in  
31 care coordination and interventions to improve patient  
32 outcomes and to drive program designs that improve the  
33 health of the population. Aggregate assessment data  
34 shall be shared with affected providers on a routine  
35 basis.

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1 b. In order to monitor the quality of and access  
2 to health care for children receiving coverage under  
3 the Medicaid program, each Medicaid managed care  
4 organization shall uniformly report, in a template  
5 format designated by the department of human services,  
6 the number of claims submitted by providers and the  
7 percentage of claims approved by the Medicaid managed  
8 care organization for the early and periodic screening,  
9 diagnostic, and treatment (EPSDT) benefit based  
10 on the Iowa EPSDT care for kids health maintenance  
11 recommendations, including but not limited to  
12 physical exams, immunizations, the seven categories of  
13 developmental and behavioral screenings, vision and  
14 hearing screenings, and lead testing.

15 **3. PROVIDER PARTICIPATION ENHANCEMENT.**

16 a. Ensure that savings achieved through Medicaid  
17 managed care does not come at the expense of further  
18 reductions in provider rates. The department shall  
19 ensure that Medicaid managed care organizations use  
20 reasonable reimbursement standards for all provider  
21 types and compensate providers for covered services at  
22 not less than the minimum reimbursement established  
23 by state law applicable to fee for service for a  
24 respective provider, service, or product for a fiscal  
25 year and as determined in conjunction with actuarially  
26 sound rate setting procedures. Such reimbursement  
27 shall extend for the entire duration of a managed care  
28 contract.

29 b. To enhance continuity of care in the provision  
30 of pharmacy services, Medicaid managed care  
31 organizations shall utilize the same preferred drug

32 list, recommended drug list, prior authorization  
33 criteria, and other utilization management strategies  
34 that apply to the state program directly under fee for  
35 service and shall apply other provisions of applicable

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1 state law including those relating to chemically unique  
2 mental health prescription drugs. Reimbursement rates  
3 established under Medicaid managed care contracts for  
4 ingredient cost reimbursement and dispensing fees shall  
5 be subject to and shall reflect provisions of state  
6 and federal law, including the minimum reimbursements  
7 established in state law for fee for service for a  
8 fiscal year.

9 c. Address rate setting and reimbursement of the  
10 entire scope of services provided under the Medicaid  
11 program to ensure the adequacy of the provider network  
12 and to ensure that providers that contribute to the  
13 holistic health of the Medicaid recipient, whether  
14 inside or outside of the provider network, are  
15 compensated for their services.

16 d. Managed care contractors shall submit financial  
17 documentation to the department of human services  
18 demonstrating payment of claims and expenses by  
19 provider type.

20 e. Participating Medicaid providers under a managed  
21 care contract shall be allowed to submit claims for up  
22 to 365 days following discharge of a Medicaid recipient  
23 from a hospital or following the date of service.

24 f. (1) A managed care contract entered into on  
25 or after July 1, 2015, shall, at a minimum, reflect  
26 all of the following provisions and requirements, and  
27 shall extend the following payment rates based on the  
28 specified payment floor, as applicable to the provider  
29 type:

30 (a) In calculating the rates for prospective  
31 payment system hospitals, the following base rates  
32 shall be used:

33 (i) The inpatient diagnostic related group base  
34 rates and certified unit per diem in effect on October  
35 1, 2015.

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1 (ii) The outpatient ambulatory payment  
2 classification base rates in effect on July 1, 2015.

3 (iii) The inpatient psychiatric certified unit per  
4 diem in effect on October 1, 2015.

5 (iv) The inpatient physical rehabilitation  
6 certified unit per diem in effect on October 1, 2015.

7 (b) In calculating the critical access hospital

8 payment rates, the following base rates shall be used:  
9 (i) The inpatient diagnostic related group base  
10 rates in effect on July 1, 2015.  
11 (ii) The outpatient cost-to-charge ratio in effect  
12 on July 1, 2015.  
13 (iii) The swing bed per diem in effect on July 1,  
14 2015.  
15 (c) Critical access hospitals shall receive  
16 cost-based reimbursement for one hundred percent of  
17 the reasonable costs for the provision of services to  
18 Medicaid recipients.  
19 (d) Critical access hospitals shall submit annual  
20 cost reports and managed care contractors shall submit  
21 annual payment reports to the department of human  
22 services. The department shall reconcile the critical  
23 access hospital's reported costs with the managed care  
24 contractor's reported payments. The department shall  
25 require the managed care contractor to retroactively  
26 reimburse a critical access hospital for underpayments.  
27 (e) Community mental health centers shall receive  
28 one hundred percent of the reasonable costs for the  
29 provision of services to Medicaid recipients.  
30 (f) Federally qualified health centers shall  
31 receive cost-based reimbursement for one hundred  
32 percent of the reasonable costs for the provision of  
33 services to Medicaid recipients.  
34 (g) The reimbursement rates for substance-related  
35 disorder treatment programs licensed under section

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1 125.13, shall be no lower than the rates in effect for  
2 the fiscal year beginning July 1, 2015.  
3 (2) For managed care contract periods subsequent to  
4 the initial contract period, base rates for prospective  
5 payment system hospitals and critical access hospitals  
6 shall be calculated using the base rate for the prior  
7 contract period plus 3 percent. Prospective payment  
8 system hospital and critical access hospital base rates  
9 shall at no time be less than the previous contract  
10 period's base rates.  
11 (3) A managed care contract shall require  
12 out-of-network prospective payment system hospital  
13 and critical access hospital payment rates to meet or  
14 exceed ninety-nine percent of the rates specified for  
15 the respective in-network hospitals in accordance with  
16 this paragraph "f".  
17 g. If the department of human services collects  
18 ownership and control information from Medicaid  
19 providers pursuant to 42 C.F.R. §455.104, a managed  
20 care organization under contract with the state shall  
21 not also require submission of this information from

22 approved enrolled Medicaid providers.  
23 h. (1) Ensure that a Medicaid managed care  
24 organization develops and maintains a provider network  
25 of qualified providers who meet state licensing,  
26 credentialing, and certification requirements, as  
27 applicable, which network shall be sufficient to  
28 provide adequate access to all services covered and for  
29 all populations served under the managed care contract.  
30 Medicaid managed care organizations shall incorporate  
31 existing and traditional providers, including but  
32 not limited to those providers that comprise the Iowa  
33 collaborative safety net provider network created in  
34 section 135.153, into their provider networks.  
35 (2) Ensure that respective Medicaid populations

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1 are managed at all times within funding limitations  
2 and contract terms. The department shall also  
3 monitor service delivery and utilization to ensure  
4 the responsibility for provision of services to  
5 Medicaid recipients is not shifted to non-Medicaid  
6 covered services to attain savings, and that such  
7 responsibility is not shifted to mental health and  
8 disability services regions, local public health  
9 agencies, aging and disability resource centers,  
10 or other entities unless agreement to provide, and  
11 provision for adequate compensation for, such services  
12 is agreed to between the affected entities in advance.  
13 i. Medicaid managed care organizations shall  
14 provide an enrolled Medicaid provider approved by the  
15 department of human services the opportunity to be a  
16 participating network provider.  
17 j. Medicaid managed care organizations shall  
18 include provider appeals and grievance procedures  
19 that in part allow a provider to file a grievance  
20 independently but on behalf of a Medicaid recipient  
21 and to appeal claims denials which, if determined to  
22 be based on claims for medically necessary services  
23 whether or not denied on an administrative basis, shall  
24 receive appropriate payment.  
25 k. (1) Medicaid managed care organizations  
26 shall include as primary care providers any provider  
27 designated by the state as a primary care provider,  
28 subject to a provider's respective state certification  
29 standards, including but not limited to all of the  
30 following:  
31 (a) A physician who is a family or general  
32 practitioner, a pediatrician, an internist, an  
33 obstetrician, or a gynecologist.  
34 (b) An advanced registered nurse practitioner.  
35 (c) A physician assistant.

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1 (d) A chiropractor licensed pursuant to chapter  
2 151.

3 (2) A Medicaid managed care organization shall not  
4 impose more restrictive, additional, or different scope  
5 of practice requirements or standards of practice on a  
6 primary care provider than those prescribed by state  
7 law as a prerequisite for participation in the managed  
8 care organization's provider network.

9 4. CAPITATION RATES AND MEDICAL LOSS RATIO.

10 a. Capitation rates shall be developed based on all  
11 reasonable, appropriate, and attainable costs. Costs  
12 that are not reasonable, appropriate, or attainable,  
13 including but not limited to improper payment  
14 recoveries, shall not be included in the development  
15 of capitated rates.

16 b. Capitation rates for Medicaid recipients falling  
17 within different rate cells shall not be expected to  
18 cross-subsidize one another and the data used to set  
19 capitation rates shall be relevant and timely and tied  
20 to the appropriate Medicaid population.

21 c. Any increase in capitation rates for managed  
22 care contractors is subject to prior statutory approval  
23 and shall not exceed three percent over the existing  
24 capitation rate in any one-year period or five percent  
25 over the existing capitation rate in any two-year  
26 period.

27 d. In addition to withholding two percent of a  
28 managed care organization's annual capitation payment  
29 as a pay-for-performance enforcement mechanism, the  
30 department of human services shall also withhold an  
31 additional two percent of a managed care organization's  
32 annual capitation payment until the department is able  
33 to ensure that the respective managed care organization  
34 has complied with all requirements relating to data,  
35 information, transparency, evaluation, and oversight

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1 specified by law, rule, contract, or other basis.

2 e. The department of human services shall collect  
3 an initial contribution of five million dollars from  
4 each of the managed care organizations contracting  
5 with the state during the fiscal year beginning July  
6 1, 2015, for an aggregate amount of fifteen million  
7 dollars, and shall deposit such amount in the Medicaid  
8 reinvestment fund, as provided in section 249A.4C, as  
9 enacted in this Act, to be used for Medicaid ombudsman  
10 activities through the office of long-term care  
11 ombudsman.

12 f. A managed care contract shall impose a minimum



13 Medicaid loss ratio of at least eighty-eight percent.  
14 In calculating the medical loss ratio, medical costs  
15 or benefit expenses shall include only those costs  
16 directly related to patient medical care and not  
17 ancillary expenses, including but not limited to any  
18 of the following:  
19 (1) Program integrity activities.  
20 (2) Utilization review activities.  
21 (3) Fraud prevention activities beyond the scope of  
22 those activities necessary to recover incurred claims.  
23 (4) Provider network development, education, or  
24 management activities.  
25 (5) Provider credentialing activities.  
26 (6) Marketing expenses.  
27 (7) Administrative costs associated with recipient  
28 incentives.  
29 (8) Clinical data collection activities.  
30 (9) Claims adjudication expenses.  
31 (10) Customer service or health care professional  
32 hotline services addressing nonclinical recipient  
33 questions.  
34 (11) Value-added or cost-containment services,  
35 wellness programs, disease management, and case

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1 management or care coordination programs.  
2 (12) Health quality improvement activities unless  
3 specifically approved as a medical cost by state law.  
4 Costs of health quality improvement activities included  
5 in determining the medical loss ratio shall be only  
6 those activities that are independent improvements  
7 measurable in individual patients.  
8 (13) Insurer claims review activities.  
9 (14) Information technology costs unless they  
10 directly and credibly improve the quality of health  
11 care and do not duplicate, conflict with, or fail to be  
12 compatible with similar health information technology  
13 efforts of providers.  
14 (15) Legal department costs including information  
15 technology costs, expenses incurred for review and  
16 denial of claims, legal costs related to defending  
17 claims, settlements for wrongly denied claims, and  
18 costs related to administrative claims handling  
19 including salaries of administrative personnel and  
20 legal costs.  
21 (16) Taxes unrelated to premiums or the provision  
22 of medical care. Only state and federal taxes and  
23 licensing or regulatory fees relevant to actual  
24 premiums collected, not including such taxes and fees  
25 as property taxes, taxes on investment income, taxes on  
26 investment property, and capital gains taxes, may be

27 included in determining the medical loss ratio.  
 28 g. (1) Provide enhanced guidance and criteria for  
 29 defining medical and administrative costs, recoveries,  
 30 and rebates including pharmacy rebates, and the  
 31 recording, reporting, and recoupment of such costs,  
 32 recoveries, and rebates realized.  
 33 (2) Medicaid managed care organizations shall  
 34 offset recoveries, rebates, and refunds against  
 35 medical costs, include only allowable administrative

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1 expenses in the determination of administrative costs,  
 2 report costs related to subcontractors properly, and  
 3 have complete systems checks and review processes to  
 4 identify overpayment possibilities.  
 5 (3) Medicaid managed care contractors shall submit  
 6 publicly available, comprehensive financial statements  
 7 to the department of human services to verify that the  
 8 minimum medical loss ratio is being met and shall be  
 9 subject to periodic audits.  
 10 5. DATA AND INFORMATION, EVALUATION, AND OVERSIGHT.  
 11 a. Develop and administer a clear, detailed policy  
 12 regarding the collection, storage, integration,  
 13 analysis, maintenance, retention, reporting, sharing,  
 14 and submission of data and information from the  
 15 Medicaid managed care organizations and shall require  
 16 each Medicaid managed care organization to have in  
 17 place a data and information system to ensure that  
 18 accurate and meaningful data is available. At a  
 19 minimum, the data shall allow the department to  
 20 effectively measure and monitor Medicaid managed care  
 21 organization performance, quality, outcomes including  
 22 recipient health outcomes, service utilization,  
 23 finances, program integrity, the appropriateness  
 24 of payments, and overall compliance with contract  
 25 requirements; perform risk adjustments and determine  
 26 actuarially sound capitation rates and appropriate  
 27 provider reimbursements; verify that the minimum  
 28 medical loss ratio is being met; ensure recipient  
 29 access to and use of services; create quality measures;  
 30 and provide for program transparency.  
 31 b. Medicaid managed care organizations shall  
 32 directly capture and retain and shall report actual and  
 33 detailed medical claims costs and administrative cost  
 34 data to the department as specified by the department.  
 35 Medicaid managed care organizations shall allow the

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1 department to thoroughly and accurately monitor the  
 2 medical claims costs and administrative costs data  
 3 Medicaid managed care organizations report to the

4 department.

5 c. Any audit of Medicaid managed care contracts  
6 shall ensure compliance including with respect to  
7 appropriate medical costs, allowable administrative  
8 costs, the medical loss ratio, cost recoveries,  
9 rebates, overpayments, and with specific contract  
10 performance requirements.

11 d. The external quality review organization  
12 contracting with the department shall review the  
13 Medicaid managed care program to determine if the  
14 state has sufficient infrastructure and controls in  
15 place to effectively oversee the Medicaid managed care  
16 organizations and the Medicaid program in order to  
17 ensure, at a minimum, compliance with Medicaid managed  
18 care organization contracts and to prevent fraud,  
19 abuse, and overpayments. The results of any external  
20 quality review organization review shall be submitted  
21 to the governor, the general assembly, and the health  
22 policy oversight committee created in section 2.45.

23 e. Publish benchmark indicators based on Medicaid  
24 program outcomes from the fiscal year beginning July 1,  
25 2015, to be used to compare outcomes of the Medicaid  
26 program as administered by the state program prior  
27 to July 1, 2015, to those outcomes of the program  
28 under Medicaid managed care. The outcomes shall  
29 include a comparison of actual costs of the program  
30 as administered prior to and after implementation of  
31 Medicaid managed care. The data shall also include  
32 specific detail regarding the actual expenses incurred  
33 by each managed care organization by specific provider  
34 line of service.

35 f. Review and approve or deny approval of contract

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1 amendments on an ongoing basis to provide for  
2 continuous improvement in Medicaid managed care and  
3 to incorporate any changes based on changes in law or  
4 policy.

5 g. (1) Require managed care contractors to track  
6 and report on a monthly basis to the department of  
7 human services, at a minimum, all of the following:

8 (a) The number and details relating to prior  
9 authorization requests and denials.

10 (b) The ten most common reasons for claims denials.  
11 Information reported by a managed care contractor  
12 relative to claims shall also include the number  
13 of claims denied, appealed, and overturned based on  
14 provider type and service type.

15 (c) Utilization of health care services by  
16 diagnostic related group and ambulatory payment  
17 classification as well as total claims volume.

18 (2) The department shall ensure the validity  
19 of all information submitted by a Medicaid managed  
20 care organization and shall make the monthly reports  
21 available to the public.

22 h. Medicaid managed care organizations shall  
23 maintain stakeholder panels comprised of an equal  
24 number of Medicaid recipients and providers. Medicaid  
25 managed care organizations shall provide for separate  
26 provider-specific panels to address detailed payment,  
27 claims, process, and other issues as well as grievance  
28 and appeals processes.

29 i. Medicaid managed care contracts shall align  
30 economic incentives, delivery system reforms, and  
31 performance and outcome metrics with those of the state  
32 innovation models initiatives and Medicaid accountable  
33 care organizations. The department of human services  
34 shall develop and utilize a common, uniform set of  
35 process, quality, and consumer satisfaction measures

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1 across all Medicaid payors and providers that align  
2 with those developed through the state innovation  
3 models initiative and shall ensure that such measures  
4 are expanded and adjusted to address additional  
5 populations and to meet population health objectives.  
6 Medicaid managed care contracts shall include long-term  
7 performance and outcomes goals that reward success in  
8 achieving population health goals such as improved  
9 community health metrics.

10 j. (1) Require consistency and uniformity of  
11 processes, procedures, and forms across all Medicaid  
12 managed care organizations to reduce the administrative  
13 burden to providers and consumers and to increase  
14 efficiencies in the program. Such requirements shall  
15 apply to but are not limited to areas of uniform cost  
16 and quality reporting, uniform prior authorization  
17 requirements and procedures, uniform utilization  
18 management criteria, centralized, uniform, and seamless  
19 credentialing requirements and procedures, and uniform  
20 critical incident reporting.

21 (2) The department of human services shall  
22 establish a comprehensive provider credentialing  
23 process to be recognized and utilized by all Medicaid  
24 managed care organization contractors. The process  
25 shall meet the national committee for quality assurance  
26 and other appropriate standards. The process shall  
27 ensure that credentialing is completed in a timely  
28 manner without disruption to provider billing  
29 processes.

30 k. Medicaid managed care organizations and any  
31 entity with which a managed care organization contracts

32 for the performance of services shall disclose at no  
 33 cost to the department all discounts, incentives,  
 34 rebates, fees, free goods, bundling arrangements, and  
 35 other agreements affecting the net cost of goods or

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1 services provided under a managed care contract.  
 2 Sec. 13. RETROACTIVE APPLICABILITY. The section of  
 3 this Act relating to directives for Medicaid program  
 4 policy improvements applies retroactively to July 1,  
 5 2015.  
 6 Sec. 14. EFFECTIVE UPON ENACTMENT. This Act, being  
 7 deemed of immediate importance, takes effect upon  
 8 enactment.>

AMANDA RAGAN  
 LIZ MATHIS  
 JOE BOLKCOM

### S-5046

1 Amend Senate File 2255 as follows:  
 2 1. Page 2, after line 31 by inserting:  
 3 <4. The fact that an individual was designated  
 4 as ineligible as provided in this section, and the  
 5 documented reasons and rationale for the designation  
 6 of ineligibility, shall, notwithstanding any provision  
 7 of law to the contrary and only following a review or  
 8 appeal of the designation of ineligibility initiated by  
 9 the individual, be a public record.>  
 10 2. Page 2, line 32, by striking <4.> and inserting  
 11 <5.>  
 12 3. By renumbering, redesignating, and correcting  
 13 internal references as necessary.

JULIAN B. GARRETT

### S-5047

1 Amend Senate File 2228 as follows:  
 2 1. Page 2, line 1, by striking <one hundred> and  
 3 inserting <seventy-five>  
 4 2. Page 3, by striking lines 13 through 17 and  
 5 inserting:  
 6 <5. A violation of this section is an unlawful  
 7 practice under section 714.16.>

TOD R. BOWMAN

**S-5048**

- 1 Amend Senate File 2255 as follows:  
 2 1. Page 2, after line 6 by inserting:  
 3 <h. The individual retired or resigned in lieu of  
 4 termination.>  
 5 2. Page 2, after line 31 by inserting:  
 6 <4. The fact that an individual was designated  
 7 as ineligible as provided in this section, and the  
 8 documented reasons and rationale for the designation  
 9 of ineligibility, shall, notwithstanding any provision  
 10 of law to the contrary and only following a review or  
 11 appeal of the designation of ineligibility initiated by  
 12 the individual, be a public record and be maintained in  
 13 the individual's personnel records.>  
 14 3. Page 2, line 32, by striking <4.> and inserting  
 15 <5.>  
 16 4. By renumbering, redesignating, and correcting  
 17 internal references as necessary.

JULIAN B. GARRETT

**S-5049**

- 1 Amend Senate File 2229 as follows:  
 2 1. By striking everything after the enacting clause  
 3 and inserting:  
 4 Section 1. **NEW SECTION. 15.231 Community catalyst**  
 5 **building remediation program — fund.**  
 6 1. a. The economic development authority  
 7 shall, pursuant to section 15.106A, subsection 1,  
 8 paragraph "o", establish a community catalyst building  
 9 remediation fund for the purpose of providing grants to  
 10 cities for the remediation of underutilized buildings.  
 11 The authority shall administer the fund in a manner to  
 12 make grant moneys annually available to cities for the  
 13 purposes of this section.  
 14 b. The fund may consist of any moneys appropriated  
 15 by the general assembly for purposes of this section  
 16 and any other moneys that are lawfully available to the  
 17 authority, including moneys transferred or deposited  
 18 from other funds created pursuant to section 15.106A,  
 19 subsection 1, paragraph "o".  
 20 c. The authority shall use any moneys specifically  
 21 appropriated for purposes of this section only for the  
 22 purposes of this section. The authority may use all  
 23 other moneys in the fund, including interest, earnings,  
 24 and recaptures for purposes of this section, or the  
 25 authority may transfer the other moneys to other funds  
 26 created pursuant to section 15.106A, subsection 1,  
 27 paragraph "o".  
 28 d. Notwithstanding section 8.33, moneys in the

29 community catalyst building remediation fund at the  
30 end of each fiscal year shall not revert to any other  
31 fund but shall remain in the fund for expenditure for  
32 subsequent fiscal years.

33 e. The authority may use not more than five percent  
34 of the moneys in the fund at the beginning of the  
35 fiscal year for purposes of administrative costs,

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1 marketing, and technical assistance and other program  
2 support.

3 2. The authority shall use moneys in the fund  
4 to provide grants to cities for the remediation of  
5 underutilized buildings. The authority may provide  
6 grants under this section using a competitive scoring  
7 process.

8 3. In providing grants under this section, the  
9 authority shall dedicate forty percent of the moneys  
10 available at the beginning of each fiscal year to  
11 cities with populations of less than one thousand five  
12 hundred as shown by the most recent federal decennial  
13 census. If at the end of each application period the  
14 amount of grants awarded to cities with a population  
15 of less than one thousand five hundred is less than  
16 the amount to be dedicated to such cities under this  
17 subsection, the balance may be awarded to any approved  
18 applicant city regardless of city population.

19 4. The authority shall enter into an agreement  
20 with each city for the receipt of grants under this  
21 section. For a city to receive grant moneys under this  
22 section, the agreement must require the city to provide  
23 resources, including financial or in-kind resources, to  
24 the remediation project. The authority may negotiate  
25 the terms of the agreement.

26 5. In providing grants under this section, the  
27 authority shall coordinate with a city to develop a  
28 plan for the use of grant moneys that is consistent  
29 with the community development, housing, and economic  
30 development goals of the city. The terms of the  
31 agreement entered into pursuant to subsection 4 and the  
32 use of grants provided under this section shall reflect  
33 the plan developed.

34 6. If a city receives a grant under this section,  
35 the amount of any lien created for costs related to

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1 the remediation of the building shall not include any  
2 moneys that the city received pursuant to this section.

3 7. The authority shall submit a report to the  
4 general assembly and the governor's office on or

- 5 before January 31, 2020, describing the results of the  
 6 program implemented pursuant to this section and making  
 7 recommendations for program changes.  
 8 Sec. 2. Section 15.335B, subsection 2, paragraph  
 9 a, Code 2016, is amended by adding the following new  
 10 subparagraph:  
 11 NEW SUBPARAGRAPH. (9) For deposit in the community  
 12 catalyst building remediation fund established pursuant  
 13 to section 15.231.>  
 14 2. Title page, by striking lines 1 and 2 and  
 15 inserting <An Act requiring the economic development  
 16 authority to establish a community catalyst building  
 17 remediation program and fund.>  
 18 3. By renumbering as necessary.

RITA HART

**S-5050**

- 1 Amend Senate File 2169 as follows:  
 2 1. Page 1, line 3, after <development> by  
 3 inserting <, in coordination with the department of  
 4 administrative services,>  
 5 2. Page 1, line 13, after <general> by inserting  
 6 <and the department of administrative services>  
 7 3. Page 1, line 17, after <development,> by  
 8 inserting <the department of administrative services,>

JEFF DANIELSON

**S-5051**

- 1 Amend Senate File 2225 as follows:  
 2 1. Page 1, after line 20 by inserting:  
 3 <Od. A contest health care professional must have  
 4 completed specific education or training in sports  
 5 medicine or emergency care and must provide evidence of  
 6 such specific education or training to the high school  
 7 of the home team prior to serving as a contest health  
 8 care professional. Such education or training may be  
 9 gained through education, continuing education, or  
 10 professional experience.>  
 11 2. Page 2, by striking line 3 and inserting  
 12 <soccer, or wrestling.>  
 13 3. By renumbering as necessary.

TOD R. BOWMAN

**S-5052**

- 1 Amend Senate File 2213 as follows:  
 2 1. By striking everything after the enacting clause  
 3 and inserting:



## HEALTH POLICY OVERSIGHT COMMITTEE

Section 1. Section 2.45, subsection 6, Code 2016, is amended to read as follows:

6. The legislative health policy oversight committee, which shall be composed of ten members of the general assembly, consisting of five members from each house, to be appointed by the legislative council. The legislative health policy oversight committee shall ~~receive updates and review data, public input and concerns, and make recommendations for improvements to and changes in law or rule regarding Medicaid managed care~~ meet at least four times annually to evaluate state health policy and provide continuing oversight for publicly funded programs, including but not limited to all facets of the Medicaid and hawk-i programs to, at a minimum, ensure effective and efficient administration of these programs, address stakeholder concerns, monitor program costs and expenditures, and make recommendations relative to the programs.

Sec. 2. HEALTH POLICY OVERSIGHT COMMITTEE — SUBJECT MATTER REVIEW FOR 2016 LEGISLATIVE INTERIM. During the 2016 legislative interim, the health policy oversight committee created in section 2.45 shall, as part of the committee's evaluation of state health policy and review of all facets of the Medicaid and hawk-i programs, review and make recommendations regarding, at a minimum, all of the following:

1. The resources and duties of the office of long-term care ombudsman relating to the provision of assistance to and advocacy for Medicaid recipients to determine the designation of duties and level of

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resources necessary to appropriately address the needs of such individuals. The committee shall consider the health consumer ombudsman alliance report submitted to the general assembly in December 2015, as well as input from the office of long-term care ombudsman and other entities in making recommendations.

2. The health benefits and health benefit utilization management criteria for the Medicaid and hawk-i programs to determine the sufficiency and appropriateness of the benefits offered and the utilization of these benefits.

3. Prior authorization requirements relative to benefits provided under the Medicaid and hawk-i programs, including but not limited to pharmacy benefits.

4. Consistency and uniformity in processes, procedures, forms, and other activities across all

18 Medicaid and hawk-i program participating insurers and  
 19 managed care organizations, including but not limited  
 20 to cost and quality reporting, credentialing, billing,  
 21 prior authorization, and critical incident reporting.

22 5. Provider network adequacy including the use of  
 23 out-of-network and out-of-state providers.

24 6. The role and interplay of other advisory and  
 25 oversight entities, including but not limited to the  
 26 medical assistance advisory council and the hawk-i  
 27 board.

28 REVIEW OF PROGRAM INTEGRITY DUTIES

29 Sec. 3. REVIEW OF PROGRAM INTEGRITY DUTIES —  
 30 WORKGROUP — REPORT.

31 1. The director of human services shall convene  
 32 a workgroup comprised of members including the  
 33 commissioner of insurance, the auditor of state, the  
 34 Medicaid director and bureau chiefs of the managed care  
 35 organization oversight and supports bureau, the Iowa

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1 Medicaid enterprise support bureau, and the medical  
 2 and long-term services and supports bureau, and a  
 3 representative of the program integrity unit, or their  
 4 designees; and representatives of other appropriate  
 5 state agencies or other entities including but not  
 6 limited to the office of the attorney general, the  
 7 office of long-term care ombudsman, and the Medicaid  
 8 fraud control unit of the investigations division  
 9 of the department of inspections and appeals. The  
 10 workgroup shall do all of the following:

11 a. Review the duties of each entity with  
 12 responsibilities relative to Medicaid program integrity  
 13 and managed care organizations; review state and  
 14 federal laws, regulations, requirements, guidance, and  
 15 policies relating to Medicaid program integrity and  
 16 managed care organizations; and review the laws of  
 17 other states relating to Medicaid program integrity  
 18 and managed care organizations. The workgroup shall  
 19 determine areas of duplication, fragmentation,  
 20 and gaps; shall identify possible integration,  
 21 collaboration and coordination of duties; and shall  
 22 determine whether existing general state Medicaid  
 23 program and fee-for-service policies, laws, and  
 24 rules are sufficient, or if changes or more specific  
 25 policies, laws, and rules are required to provide  
 26 for comprehensive and effective administration and  
 27 oversight of the Medicaid program including under the  
 28 fee-for-service and managed care methodologies.

29 b. Review historical uses of the Medicaid  
 30 fraud fund created in section 249A.50 and make  
 31 recommendations for future uses of the moneys in the

32 fund and any changes in law necessary to adequately  
33 address program integrity.  
34 c. Review medical loss ratio provisions relative  
35 to Medicaid managed care contracts and make

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1 recommendations regarding, at a minimum, requirements  
2 for the necessary collection, maintenance, retention,  
3 reporting, and sharing of data and information by  
4 Medicaid managed care organizations for effective  
5 determination of compliance, and to identify the  
6 costs and activities that should be included in the  
7 calculation of administrative costs, medical costs or  
8 benefit expenses, health quality improvement costs,  
9 and other costs and activities incidental to the  
10 determination of a medical loss ratio.

11 d. Review the capacity of state agencies, including  
12 the need for specialized training and expertise, to  
13 address Medicaid and managed care organization program  
14 integrity and provide recommendations for the provision  
15 of necessary resources and infrastructure, including  
16 annual budget projections.

17 e. Review the incentives and penalties applicable  
18 to violations of program integrity requirements to  
19 determine their adequacy in combating waste, fraud,  
20 abuse, and other violations that divert limited  
21 resources that would otherwise be expended to safeguard  
22 the health and welfare of Medicaid recipients, and make  
23 recommendations for necessary adjustments to improve  
24 compliance.

25 f. Make recommendations regarding the quarterly and  
26 annual auditing of financial reports required to be  
27 performed for each Medicaid managed care organization  
28 to ensure that the activities audited provide  
29 sufficient information to the division of insurance  
30 of the department of commerce and the department  
31 of human services to ensure program integrity. The  
32 recommendations shall also address the need for  
33 additional audits or other reviews of managed care  
34 organizations.

35 g. Review and make recommendations to prohibit

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1 cost-shifting between state and local and public and  
2 private funding sources for services and supports  
3 provided to Medicaid recipients whether directly or  
4 indirectly through the Medicaid program.

5 2. The department of human services shall submit  
6 a report of the workgroup to the governor, the health  
7 policy oversight committee created in section 2.45,

8 and the general assembly initially, on or before  
9 November 15, 2016, and on or before November 15,  
10 on an annual basis thereafter, to provide findings  
11 and recommendations for a coordinated approach  
12 to comprehensive and effective administration and  
13 oversight of the Medicaid program including under the  
14 fee-for-service and managed care methodologies.

15 MEDICAID OMBUDSMAN

16 Sec. 4. Section 231.44, Code 2016, is amended to  
17 read as follows:

18 **231.44 Utilization of resources — assistance and**  
19 **advocacy related to long-term services and supports**  
20 **under the Medicaid program.**

21 1. The office of long-term care ombudsman ~~may~~  
22 shall utilize its available resources to provide  
23 assistance and advocacy services to eligible recipients  
24 of long-term services and supports, or individuals  
25 seeking long-term services and supports, and the  
26 families or legal representatives of such eligible  
27 ~~recipients, of long-term services and supports provided~~  
28 ~~through individuals under~~ the Medicaid program. Such  
29 assistance and advocacy shall include but is not  
30 limited to all of the following:

31 a. Assisting ~~recipients~~ such individuals in  
32 understanding the services, coverage, and access  
33 provisions and their rights under Medicaid managed  
34 care.

35 b. Developing procedures for the tracking and

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1 reporting of the outcomes of individual requests for  
2 assistance, the obtaining of necessary services and  
3 supports, and other aspects of the services provided to  
4 ~~eligible recipients~~ such individuals.

5 c. Providing advice and assistance relating to the  
6 preparation and filing of complaints, grievances, and  
7 appeals of complaints or grievances, including through  
8 processes available under managed care plans and the  
9 state appeals process, relating to long-term services  
10 and supports under the Medicaid program.

11 d. Accessing the results of a review of a level  
12 of care assessment or reassessment by a managed care  
13 organization in which the managed care organization  
14 recommends denial or limited authorization of a  
15 service, including the type or level of service, the  
16 reduction, suspension, or termination of a previously  
17 authorized service, or a change in level of care, upon  
18 the request of an affected individual.

19 e. Receiving notices of disenrollment or notices  
20 that would result in a change in level of care for  
21 affected individuals, including involuntary and

22 voluntary discharges or transfers, from the department  
23 of human services or a managed care organization.

24 2. A representative of the office of long-term care  
25 ombudsman providing assistance and advocacy services  
26 authorized under this section for an individual,  
27 shall be provided access to the individual, and shall  
28 be provided access to the individual's medical and  
29 social records as authorized by the individual or the  
30 individual's legal representative, as necessary to  
31 carry out the duties specified in this section.

32 3. A representative of the office of long-term care  
33 ombudsman providing assistance and advocacy services  
34 authorized under this section for an individual, shall  
35 be provided access to administrative records related to

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1 the provision of the long-term services and supports to  
2 the individual, as necessary to carry out the duties  
3 specified in this section.

4 4. The office of long-term care ombudsman and  
5 representatives of the office, when providing  
6 assistance and advocacy services under this section,  
7 shall be considered a health oversight agency as  
8 defined in 45 C.F.R. §164.501 for the purposes of  
9 health oversight activities as described in 45 C.F.R.  
10 §164.512(d) including access to the health records  
11 and other appropriate information of an individual,  
12 including from the department of human services or  
13 the applicable Medicaid managed care organization,  
14 as necessary to fulfill the duties specified under  
15 this section. The department of human services,  
16 in collaboration with the office of long-term care  
17 ombudsman, shall adopt rules to ensure compliance  
18 by affected entities with this subsection and to  
19 ensure recognition of the office of long-term care  
20 ombudsman as a duly authorized and identified agent or  
21 representative of the state.

22 5. The department of human services and Medicaid  
23 managed care organizations shall inform eligible  
24 and potentially eligible Medicaid recipients of the  
25 advocacy services and assistance available through the  
26 office of long-term care ombudsman and shall provide  
27 contact and other information regarding the advocacy  
28 services and assistance to eligible and potentially  
29 eligible Medicaid recipients as directed by the office  
30 of long-term care ombudsman.

31 6. When providing assistance and advocacy services  
32 under this section, the office of long-term care  
33 ombudsman shall act as an independent agency, and the  
34 office of long-term care ombudsman and representatives  
35 of the office shall be free of any undue influence that

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1 restrains the ability of the office or the office's  
2 representatives from providing such services and  
3 assistance.  
4 7. The office of long-term care ombudsman shall, in  
5 addition to other duties prescribed and at a minimum,  
6 do all of the following in the furtherance of the  
7 provision of advocacy services and assistance under  
8 this section:  
9 a. Represent the interests of eligible and  
10 potentially eligible Medicaid recipients before  
11 governmental agencies.  
12 b. Analyze, comment on, and monitor the development  
13 and implementation of federal, state, and local laws,  
14 regulations, and other governmental policies and  
15 actions, and recommend any changes in such laws,  
16 regulations, policies, and actions as determined  
17 appropriate by the office of long-term care ombudsman.  
18 c. To maintain transparency and accountability for  
19 activities performed under this section, including  
20 for the purposes of claiming federal financial  
21 participation for activities that are performed to  
22 assist with administration of the Medicaid program:  
23 (1) Have complete and direct responsibility for the  
24 administration, operation, funding, fiscal management,  
25 and budget related to such activities, and directly  
26 employ, oversee, and supervise all paid and volunteer  
27 staff associated with these activities.  
28 (2) Establish separation-of-duties requirements,  
29 provide limited access to work space and work  
30 product for only necessary staff, and limit access to  
31 documents and information as necessary to maintain the  
32 confidentiality of the protected health information of  
33 individuals served under this section.  
34 (3) Collect and submit, annually, to the governor,  
35 the health policy oversight committee created in

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1 section 2.45, and the general assembly, all of the  
2 following with regard to those seeking advocacy  
3 services or assistance under this section:  
4 (a) The number of contacts by contact type and  
5 geographic location.  
6 (b) The type of assistance requested including the  
7 name of the managed care organization involved, if  
8 applicable.  
9 (c) The time frame between the time of the initial  
10 contact and when an initial response was provided.  
11 (d) The amount of time from the initial contact to  
12 resolution of the problem or concern.

13 (e) The actions taken in response to the request  
 14 for advocacy or assistance.

15 (f) The outcomes of requests to address problems or  
 16 concerns.

17 ~~4.~~ 8. For the purposes of this section:

18 *a. "Institutional setting"* includes a long-term care  
 19 facility, an elder group home, or an assisted living  
 20 program.

21 *b. "Long-term services and supports"* means the broad  
 22 range of health, health-related, and personal care  
 23 assistance services and supports, provided in both  
 24 institutional settings and home and community-based  
 25 settings, necessary for older individuals and persons  
 26 with disabilities who experience limitations in their  
 27 capacity for self-care due to a physical, cognitive, or  
 28 mental disability or condition.

29 **Sec. 5. NEW SECTION. 231.44A Willful interference**  
 30 **with duties related to long-term services and supports**  
 31 **— penalty.**

32 Willful interference with a representative of the  
 33 office of long-term care ombudsman in the performance  
 34 of official duties in accordance with section 231.44  
 35 is a violation of section 231.44, subject to a penalty

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1 prescribed by rule. The office of long-term care  
 2 ombudsman shall adopt rules specifying the amount of a  
 3 penalty imposed, consistent with the penalties imposed  
 4 under section 231.42, subsection 8, and specifying  
 5 procedures for notice and appeal of penalties imposed.  
 6 Any moneys collected pursuant to this section shall be  
 7 deposited in the general fund of the state.

8 **MEDICAL ASSISTANCE ADVISORY COUNCIL**  
 9 **Sec. 6. Section 249A.4B, Code 2016, is amended to**  
 10 **read as follows:**

11 **249A.4B Medical assistance advisory council.**

12 1. A medical assistance advisory council is  
 13 created to comply with 42 C.F.R. §431.12 based on  
 14 section 1902(a)(4) of the federal Social Security Act  
 15 and to advise the director about health and medical  
 16 care services under the ~~medical assistance~~ Medicaid  
 17 program, participate in Medicaid policy development  
 18 and program administration, and provide guidance on  
 19 key issues related to the Medicaid program, whether  
 20 administered under a fee-for-service, managed care, or  
 21 other methodology, including but not limited to access  
 22 to care, quality of care, and service delivery.

23 *a. The council shall have the opportunity for*  
 24 participation in policy development and program  
 25 administration, including furthering the participation  
 26 of recipients of the program, and without limiting this

27 general authority shall specifically do all of the  
 28 following:  
 29 (1) Formulate, review, evaluate, and recommend  
 30 policies, rules, agency initiatives, and legislation  
 31 pertaining to the Medicaid program. The council shall  
 32 have the opportunity to comment on proposed rules  
 33 prior to commencement of the rulemaking process and on  
 34 waivers and state plan amendment applications.  
 35 (2) Prior to the annual budget development process,

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1 engage in setting priorities, including consideration  
 2 of the scope and utilization management criteria  
 3 for benefits, beneficiary eligibility, provider and  
 4 services reimbursement rates, and other budgetary  
 5 issues.  
 6 (3) Provide oversight for and review of the  
 7 administration of the Medicaid program.  
 8 (4) Ensure that the membership of the council  
 9 effectively represents all relevant and concerned  
 10 viewpoints, particularly those of consumers, providers,  
 11 and the general public; create public understanding;  
 12 and ensure that the services provided under the  
 13 Medicaid program meet the needs of the people served.  
 14 b. The council shall meet ~~no more than~~ at least  
 15 quarterly, and prior to the next subsequent meeting  
 16 of the executive committee. ~~The director of public~~  
 17 health ~~The public member acting as a co-chairperson~~  
 18 of the executive committee and the professional or  
 19 business entity member acting as a co-chairperson of  
 20 the executive committee, shall serve as ~~chairperson~~  
 21 co-chairpersons of the council.  
 22 2. The council shall include all of the following  
 23 voting members:  
 24 a. The president, or the president's  
 25 representative, of each of the following professional  
 26 or business entities, or a member of each of the  
 27 following professional or business entities, selected  
 28 by the entity:  
 29 (1) The Iowa medical society.  
 30 (2) The Iowa osteopathic medical association.  
 31 (3) The Iowa academy of family physicians.  
 32 (4) The Iowa chapter of the American academy of  
 33 pediatrics.  
 34 (5) The Iowa physical therapy association.  
 35 (6) The Iowa dental association.

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1 (7) The Iowa nurses association.  
 2 (8) The Iowa pharmacy association.  
 3 (9) The Iowa podiatric medical society.



- 4 (10) The Iowa optometric association.  
 5 (11) The Iowa association of community providers.  
 6 (12) The Iowa psychological association.  
 7 (13) The Iowa psychiatric society.  
 8 (14) The Iowa chapter of the national association  
 9 of social workers.  
 10 (15) The coalition for family and children's  
 11 services in Iowa.  
 12 (16) The Iowa hospital association.  
 13 (17) The Iowa association of rural health clinics.  
 14 (18) The Iowa primary care association.  
 15 (19) Free clinics of Iowa.  
 16 (20) The opticians' association of Iowa, inc.  
 17 (21) The Iowa association of hearing health  
 18 professionals.  
 19 (22) The Iowa speech and hearing association.  
 20 (23) The Iowa health care association.  
 21 (24) The Iowa association of area agencies on  
 22 aging.  
 23 (25) AARP.  
 24 (26) The Iowa caregivers association.  
 25 (27) The Iowa coalition of home and community-based  
 26 services for seniors.  
 27 (28) The Iowa adult day services association.  
 28 (29) Leading age Iowa.  
 29 (30) The Iowa association for home care.  
 30 (31) The Iowa council of health care centers.  
 31 (32) The Iowa physician assistant society.  
 32 (33) The Iowa association of nurse practitioners.  
 33 (34) The Iowa nurse practitioner society.  
 34 (35) The Iowa occupational therapy association.  
 35 (36) The ARC of Iowa, formerly known as the

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- 1 association for retarded citizens of Iowa.  
 2 (37) The national alliance ~~for the mentally ill on~~  
 3 mental illness of Iowa.  
 4 (38) The Iowa state association of counties.  
 5 (39) The Iowa developmental disabilities council.  
 6 (40) The Iowa chiropractic society.  
 7 (41) The Iowa academy of nutrition and dietetics.  
 8 (42) The Iowa behavioral health association.  
 9 (43) The midwest association for medical equipment  
 10 services or an affiliated Iowa organization.  
 11 (44) The Iowa public health association.  
 12 (45) The epilepsy foundation.  
 13 b. Public representatives which may include members  
 14 of consumer groups, including recipients of medical  
 15 assistance or their families, consumer organizations,  
 16 and others, which shall be appointed by the governor  
 17 in equal ~~in~~ number to the number of representatives of

18 the professional and business entities specifically  
 19 represented under paragraph “a”, ~~appointed by the~~  
 20 ~~governor~~ for staggered terms of two years each, none  
 21 of whom shall be members of, or practitioners of, or  
 22 have a pecuniary interest in any of the professional  
 23 or business entities specifically represented under  
 24 paragraph “a”, and a majority of whom shall be current  
 25 or former recipients of medical assistance or members  
 26 of the families of current or former recipients.

27 3. The council shall include all of the following  
 28 nonvoting members:

29 ~~e.~~ a. The director of public health, or the  
 30 director’s designee.

31 ~~d.~~ b. The director of the department on aging, or  
 32 the director’s designee.

33 c. The state long-term care ombudsman, or the  
 34 ombudsman’s designee.

35 d. The ombudsman appointed pursuant to section

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1 2C.3, or the ombudsman’s designee.

2 e. The dean of Des Moines university — osteopathic  
 3 medical center, or the dean’s designee.

4 f. The dean of the university of Iowa college of  
 5 medicine, or the dean’s designee.

6 g. The following members of the general assembly,  
 7 each for a term of two years as provided in section  
 8 69.16B:

9 (1) Two members of the house of representatives,  
 10 one appointed by the speaker of the house of  
 11 representatives and one appointed by the minority  
 12 leader of the house of representatives from their  
 13 respective parties.

14 (2) Two members of the senate, one appointed by the  
 15 president of the senate after consultation with the  
 16 majority leader of the senate and one appointed by the  
 17 minority leader of the senate.

18 ~~3.~~ 4. a. An executive committee of the council is  
 19 created and shall consist of the following members of  
 20 the council:

21 (1) As voting members:

22 (a) Five of the professional or business entity  
 23 members designated pursuant to subsection 2, paragraph  
 24 “a”, and selected by the members specified under that  
 25 paragraph.

26 ~~(b)~~ (b) Five of the public members appointed  
 27 pursuant to subsection 2, paragraph “b”, and selected  
 28 by the members specified under that paragraph. Of the  
 29 five public members, at least one member shall be a  
 30 recipient of medical assistance.

31 ~~(2)~~ (2) As nonvoting members:

32 (a) The director of public health, or the  
 33 director's designee.  
 34 (b) The director of the department on aging, or the  
 35 director's designee.

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1 (c) The state long-term care ombudsman, or the  
 2 ombudsman's designee.  
 3 (d) The ombudsman appointed pursuant to section  
 4 2C.3, or the ombudsman's designee.  
 5 b. The executive committee shall meet on a monthly  
 6 basis. ~~The director of public health~~ A public member  
 7 of the executive committee selected by the public  
 8 members appointed pursuant to subsection 2, paragraph  
 9 "b", and a professional or business entity member of  
 10 the executive committee selected by the professional  
 11 or business entity members appointed pursuant to  
 12 subsection 2, paragraph "a", shall serve as ~~chairperson~~  
 13 co-chairpersons of the executive committee.  
 14 c. Based upon the deliberations of the council,  
 15 ~~and the executive committee, and the subcommittees,~~  
 16 the executive committee, ~~the council, and the~~  
 17 subcommittees, respectively, shall make recommendations  
 18 to the director, ~~to the health policy oversight~~  
 19 committee created in section 2.45, to the general  
 20 assembly's joint appropriations subcommittee on health  
 21 and human services, and to the general assembly's  
 22 standing committees on human resources regarding the  
 23 budget, policy, and administration of the medical  
 24 assistance program.  
 25 5. a. The council shall create the following  
 26 subcommittees, and may create additional subcommittees  
 27 as necessary to address Medicaid program policies,  
 28 administration, budget, and other factors and issues:  
 29 (1) A stakeholder safeguards subcommittee, for  
 30 which the co-chairpersons shall be a public member  
 31 of the council appointed pursuant to subsection 2,  
 32 paragraph "b", and selected by the public members of  
 33 the council, and a representative of a professional  
 34 or business entity appointed pursuant to subsection  
 35 2, paragraph "a", and selected by the professional or

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1 business entity representatives of the council. The  
 2 mission of the stakeholder safeguards subcommittee  
 3 is to provide for ongoing stakeholder engagement and  
 4 feedback on issues affecting Medicaid recipients,  
 5 providers, and other stakeholders, including but not  
 6 limited to benefits such as transportation, benefit  
 7 utilization management, the inclusion of out-of-state

8 and out-of-network providers and the use of single-case  
9 agreements, and reimbursement of providers and  
10 services.  
11 (2) The long-term services and supports  
12 subcommittee which shall be chaired by the state  
13 long-term care ombudsman, or the ombudsman's designee.  
14 The mission of the long-term services and supports  
15 subcommittee is to be a resource and to provide advice  
16 on policy development and program administration  
17 relating to Medicaid long-term services and supports  
18 including but not limited to developing outcomes and  
19 performance measures for Medicaid managed care for the  
20 long-term services and supports population; addressing  
21 issues related to home and community-based services  
22 waivers and waiting lists; and reviewing the system of  
23 long-term services and supports to ensure provision of  
24 home and community-based services and the rebalancing  
25 of the health care infrastructure in accordance with  
26 state and federal law including but not limited to the  
27 principles established in Olmstead v. L.C., 527 U.S.  
28 581 (1999) and the federal Americans with Disabilities  
29 Act and in a manner that reflects a sustainable,  
30 person-centered approach to improve health and life  
31 outcomes, supports maximum independence, addresses  
32 medical and social needs in a coordinated, integrated  
33 manner, and provides for sufficient resources including  
34 a stable, well-qualified workforce. The subcommittee  
35 shall also address and make recommendations regarding

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1 the need for an ombudsman function for eligible and  
2 potentially eligible Medicaid recipients beyond the  
3 long-term services and supports population.  
4 (3) The transparency, data, and program evaluation  
5 subcommittee which shall be chaired by the director of  
6 the university of Iowa public policy center, or the  
7 director's designee. The mission of the transparency,  
8 data, and program evaluation subcommittee is to  
9 ensure Medicaid program transparency; ensure the  
10 collection, maintenance, retention, reporting, and  
11 analysis of sufficient and meaningful data to provide  
12 transparency and inform policy development and program  
13 effectiveness; support development and administration  
14 of a consumer-friendly dashboard; and promote the  
15 ongoing evaluation of Medicaid stakeholder satisfaction  
16 with the Medicaid program.  
17 (4) The program integrity subcommittee which shall  
18 be chaired by the Medicaid director, or the director's  
19 designee. The mission of the program integrity  
20 subcommittee is to ensure that a comprehensive system  
21 including specific policies, laws, and rules and

22 adequate resources and measures are in place to  
23 effectively administer the program and to maintain  
24 compliance with federal and state program integrity  
25 requirements.

26 (5) A health workforce subcommittee, co-chaired  
27 by the bureau chief of the bureau of oral and health  
28 delivery systems of the department of public health,  
29 or the bureau chief's designee, and the director of  
30 the national alliance on mental illness of Iowa, or  
31 the director's designee. The mission of the health  
32 workforce subcommittee is to assess the sufficiency  
33 and proficiency of the current and projected health  
34 workforce; identify barriers to and gaps in health  
35 workforce development initiatives and health

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1 workforce data to provide foundational, evidence-based  
2 information to inform policymaking and resource  
3 allocation; evaluate the most efficient application  
4 and utilization of roles, functions, responsibilities,  
5 activities, and decision-making capacity of health  
6 care professionals and other allied and support  
7 personnel; and make recommendations for improvement  
8 in, and alternative modes of, health care delivery in  
9 order to provide a competent, diverse, and sustainable  
10 health workforce in the state. The subcommittee shall  
11 work in collaboration with the office of statewide  
12 clinical education programs of the university of Iowa  
13 Carver college of medicine, Des Moines university,  
14 Iowa workforce development, and other entities with  
15 interest or expertise in the health workforce in  
16 carrying out the subcommittee's duties and developing  
17 recommendations.

18 b. The co-chairpersons of the council shall  
19 appoint members to each subcommittee from the general  
20 membership of the council. Consideration in appointing  
21 subcommittee members shall include the individual's  
22 knowledge about, and interest or expertise in, matters  
23 that come before the subcommittee.

24 c. Subcommittees shall meet at the call of the  
25 co-chairpersons or chairperson of the subcommittee,  
26 or at the request of a majority of the members of the  
27 subcommittee.

28 4. 6. For each council meeting, executive  
29 committee meeting, or subcommittee meeting, a quorum  
30 shall consist of fifty percent of the membership  
31 qualified to vote. Where a quorum is present, a  
32 position is carried by a majority of the members  
33 qualified to vote.

34 7. For each council meeting, other than those  
35 held during the time the general assembly is in

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1 session, each legislative member of the council shall  
 2 be reimbursed for actual travel and other necessary  
 3 expenses and shall receive a per diem as specified in  
 4 section 7E.6 for each day in attendance, as shall the  
 5 members of the council, ~~or the executive committee,~~  
 6 or a subcommittee, for each day in attendance at a  
 7 council, executive committee, or subcommittee meeting,  
 8 who are recipients or the family members of recipients  
 9 of medical assistance, regardless of whether the  
 10 general assembly is in session.

11 ~~5. 8.~~ The department shall provide staff support  
 12 and independent technical assistance to the council,  
 13 ~~and the executive committee, and the subcommittees.~~

14 ~~6. 9.~~ The director shall ~~consider~~ comply with  
 15 the requirements of this section regarding the  
 16 duties of the council, and the deliberations and  
 17 recommendations offered by of the council, and the  
 18 executive committee, and the subcommittees shall be  
 19 reflected in the director's preparation of medical  
 20 assistance budget recommendations to the council  
 21 on human services pursuant to section 217.3, ~~and~~ in  
 22 implementation of medical assistance program policies,  
 23 and in administration of the Medicaid program.

24 10. The council, executive committee, and  
 25 subcommittees shall jointly submit quarterly reports  
 26 to the health policy oversight committee created in  
 27 section 2.45 and shall jointly submit a report to the  
 28 governor and the general assembly initially by January  
 29 1, 2017, and annually, therefore, summarizing the  
 30 outcomes and findings of their respective deliberations  
 31 and any recommendations including but not limited to  
 32 those for changes in law or policy.

33 11. The council, executive committee, and  
 34 subcommittees may enlist the services of persons who  
 35 are qualified by education, expertise, or experience

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1 to advise, consult with, or otherwise assist the  
 2 council, executive committee, or subcommittees in the  
 3 performance of their duties. The council, executive  
 4 committee, or subcommittees may specifically enlist  
 5 the assistance of entities such as the university of  
 6 Iowa public policy center to provide ongoing evaluation  
 7 of the Medicaid program and to make evidence-based  
 8 recommendations to improve the program. The council,  
 9 executive committee, and subcommittees shall enlist  
 10 input from the patient-centered health advisory council  
 11 created in section 135.159, the mental health and  
 12 disabilities services commission created in section

13 225C.5, the commission on aging created in section  
 14 231.11, the bureau of substance abuse of the department  
 15 of public health, the Iowa developmental disabilities  
 16 council, and other appropriate state and local entities  
 17 to provide advice to the council, executive committee,  
 18 and subcommittees.  
 19 12. The department, in accordance with 42 C.F.R.  
 20 §431.12, shall seek federal financial participation for  
 21 the activities of the council, the executive committee,  
 22 and the subcommittees.

23 PATIENT-CENTERED HEALTH RESOURCES AND INFRASTRUCTURE

24 Sec. 7. Section 135.159, subsection 2, Code 2016,  
 25 is amended to read as follows:

26 2. a. The department shall establish a  
 27 patient-centered health advisory council which shall  
 28 include but is not limited to all of the following  
 29 members, selected by their respective organizations,  
 30 and any other members the department determines  
 31 necessary to assist in the ~~department's duties at~~  
 32 ~~various stages of~~ development of the medical home  
 33 system and in the transformation to a patient-centered  
 34 infrastructure that integrates and coordinates services  
 35 and supports to address social determinants of health

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1 and meet population health goals:  
 2 (1) The director of human services, or the  
 3 director's designee.  
 4 (2) The commissioner of insurance, or the  
 5 commissioner's designee.  
 6 (3) A representative of the federation of Iowa  
 7 insurers.  
 8 (4) A representative of the Iowa dental  
 9 association.  
 10 (5) A representative of the Iowa nurses  
 11 association.  
 12 (6) A physician and an osteopathic physician  
 13 licensed pursuant to chapter 148 who are family  
 14 physicians and members of the Iowa academy of family  
 15 physicians.  
 16 (7) A health care consumer.  
 17 (8) A representative of the Iowa collaborative  
 18 safety net provider network established pursuant to  
 19 section 135.153.  
 20 (9) A representative of the Iowa developmental  
 21 disabilities council.  
 22 (10) A representative of the Iowa chapter of the  
 23 American academy of pediatrics.  
 24 (11) A representative of the child and family  
 25 policy center.  
 26 (12) A representative of the Iowa pharmacy

27 association.  
 28 (13) A representative of the Iowa chiropractic  
 29 society.  
 30 (14) A representative of the university of Iowa  
 31 college of public health.  
 32 (15) A representative of the Iowa public health  
 33 association.  
 34 (16) A representative of the area agencies on  
 35 aging.

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1 (17) A representative of the mental health and  
 2 disability services regions.  
 3 (18) A representative of early childhood Iowa.  
 4 b. Public members of the patient-centered health  
 5 advisory council shall receive reimbursement for  
 6 actual expenses incurred while serving in their  
 7 official capacity only if they are not eligible for  
 8 reimbursement by the organization that they represent.  
 9 c. (1) Beginning July 1, 2016, the  
 10 patient-centered health advisory council shall  
 11 do all of the following:  
 12 (a) Review and make recommendations to the  
 13 department and to the general assembly regarding  
 14 the building of effective working relationships and  
 15 strategies to support state-level and community-level  
 16 integration, to provide cross-system coordination  
 17 and synchronization, and to more appropriately align  
 18 health delivery models and service sectors, including  
 19 but not limited to public health, aging and disability  
 20 services agencies, mental health and disability  
 21 services regions, social services, child welfare, and  
 22 other providers, agencies, organizations, and sectors  
 23 to address social determinants of health, holistic  
 24 well-being, and population health goals. Such review  
 25 and recommendations shall include a review of funding  
 26 streams and recommendations for blending and braiding  
 27 funding to support these efforts.  
 28 (b) Assist in efforts to evaluate the health  
 29 workforce to inform policymaking and resource  
 30 allocation.  
 31 (2) The patient-centered health advisory council  
 32 shall submit a report to the department, the health  
 33 policy oversight committee created in section 2.45, and  
 34 the general assembly, initially, on or before December  
 35 15, 2016, and on or before December 15, annually.

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1 thereafter, including any findings or recommendations  
 2 resulting from the council's deliberations.  
 3 HAWK-I PROGRAM



4 Sec. 8. Section 514I.5, subsection 8, paragraph  
 5 d, Code 2016, is amended by adding the following new  
 6 subparagraph:  
 7 NEW SUBPARAGRAPH. (17) Occupational therapy.  
 8 Sec. 9. Section 514I.5, subsection 8, Code 2016, is  
 9 amended by adding the following new paragraph:  
 10 NEW PARAGRAPH. *m.* The definition of medically  
 11 necessary and the utilization management criteria under  
 12 the hawk-i program in order to ensure that benefits  
 13 are uniformly and consistently provided across all  
 14 participating insurers in the type and manner that  
 15 reflects and appropriately meets the needs, including  
 16 but not limited to the habilitative and rehabilitative  
 17 needs, of the child population including those children  
 18 with special health care needs.  
 19 Sec. 10. EFFECTIVE UPON ENACTMENT. This Act, being  
 20 deemed of immediate importance, takes effect upon  
 21 enactment.>

DAVID JOHNSON

### S-5053

1 Amend Senate File 2228 as follows:  
 2 1. Page 2, line 22, after <and> by inserting <an  
 3 application for>

AMY SINCLAIR

### S-5054

1 Amend Senate File 2266 as follows:  
 2 1. By striking everything after the enacting clause  
 3 and inserting:  
 4 Section 1. Section 97A.3, subsection 3, paragraphs  
 5 a and b, Code 2016, are amended to read as follows:  
 6 *a.* As used in this section, unless the context  
 7 otherwise requires, “reemployed” or “reemployment”  
 8 means the employment of a person by the state or in  
 9 a position which would otherwise be included as a  
 10 membership position under subsection 1, after the  
 11 person has commenced receiving a service retirement  
 12 allowance under section 97A.6.  
 13 *b.* If a person is reemployed, the person shall not  
 14 become an active member of the system upon reemployment  
 15 if applicable, and the person so reemployed and  
 16 the state of Iowa shall not make contributions to  
 17 the system based upon the person’s compensation for  
 18 reemployment. A person who is so reemployed shall  
 19 ~~continue~~ cease to receive the service retirement  
 20 allowance during the person’s reemployment, and the  
 21 service retirement allowance shall not be recalculated

22 based upon the person's reemployment. Notwithstanding  
 23 section 97B.1A or any other provision of law to the  
 24 contrary, a person reemployed as provided in this  
 25 subsection shall be exempt from chapter 97B.

26 Sec. 2. Section 97B.52A, subsection 1, Code 2016,  
 27 is amended by adding the following new paragraph:  
 28 NEW PARAGRAPH. *d.* Effective July 1, 2016, the  
 29 member does not return to any employment with the  
 30 state.

31 Sec. 3. Section 411.3, subsection 3, paragraph a,  
 32 Code 2016, is amended to read as follows:

33 *a.* As used in this section, unless the context  
 34 otherwise requires, "*reemployed*" or "*reemployment*" means  
 35 the employment of a person by the state or as a police

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1 officer or fire fighter by any participating city after  
 2 the person has commenced receiving a service retirement  
 3 allowance under section 411.6.>

4 2. Title page, by striking line 2 and inserting <a  
 5 retirement allowance under certain public retirement  
 6 systems.>

CHARLES SCHNEIDER

### S-5055

1 Amend House File 2279, as passed by the House, as  
 2 follows:

3 1. Page 3, by striking lines 10 through 12 and  
 4 inserting:

5 <1. A person shall not knowingly possess a firearm  
 6 suppressor in this state in violation of federal law.>

COMMITTEE ON JUDICIARY

STEVEN J. SODDERS, Chair

### S-5056

1 Amend Senate File 2235 as follows:

2 1. By striking everything after the enacting clause  
 3 and inserting:

4 <Section 1. NEW SECTION. 237C.1 Definitions.

5 As used in this chapter, unless the context  
 6 otherwise requires:

7 1. "*Administrator*" means the administrator of that  
 8 division of the department designated by the director  
 9 of human services to administer this chapter or the  
 10 administrator's designee.

11 2. "*Child*" or "*children*" means an individual or  
 12 individuals under eighteen years of age.

13 3. *“Children’s residential facility”* means a  
 14 private facility designed to serve children who have  
 15 been voluntarily placed for reasons other than an  
 16 exclusively recreational activity outside of their  
 17 home by a parent or legal guardian and who are not  
 18 under the custody or authority of the department of  
 19 human services, juvenile court, or another governmental  
 20 agency, that provides twenty-four hour care, including  
 21 food, lodging, supervision, education, or other care on  
 22 a full-time basis by a person other than a relative or  
 23 guardian of the child, but does not include an entity  
 24 providing any of the following:

- 25 a. Care furnished by an individual who receives  
 26 the child of a personal friend as an occasional and  
 27 personal guest in the individual’s home, free of charge  
 28 and not as a business.
- 29 b. Care furnished by an individual with whom a  
 30 child has been placed for lawful adoption, unless  
 31 that adoption is not completed within two years after  
 32 placement.
- 33 c. Child care furnished by a child care facility as  
 34 defined in section 237A.1.
- 35 d. Care furnished in a hospital licensed under

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1 chapter 135B or care furnished in a health care  
 2 facility as defined in section 135C.1.

- 3 e. Care furnished by a juvenile detention home  
 4 or juvenile shelter care home approved under section  
 5 232.142.
- 6 f. Care furnished by a child foster care facility  
 7 licensed under chapter 237.
- 8 g. Care furnished by an institution listed in  
 9 section 218.1.
- 10 h. Care furnished by a facility licensed under  
 11 chapter 125.
- 12 i. Care furnished by a psychiatric medical  
 13 institution for children licensed under chapter 135H.

14 4. *“Department”* means the department of human  
 15 services.

16 Sec. 2. **NEW SECTION. 237C.2 Purpose.**  
 17 It is the policy of this state to provide  
 18 appropriate protection for children who are separated  
 19 from the direct personal care of their parents,  
 20 relatives, or guardians and, therefore, the purpose  
 21 of this chapter is to provide for the development,  
 22 establishment, and enforcement of standards relating to  
 23 the certification of children’s residential facilities.

24 Sec. 3. **NEW SECTION. 237C.3 Certification**  
 25 **standards — consultation with other agencies.**  
 26 1. The department of human services shall consult

27 with the department of education, the department of  
 28 inspections and appeals, the department of public  
 29 health, the state fire marshal, and other agencies  
 30 as determined by the department of human services  
 31 to establish certification standards for children's  
 32 residential facilities in accordance with this chapter.  
 33 2. Standards established by the department under  
 34 this chapter shall at a minimum address the basic  
 35 health and educational needs of children; protection

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1 of children from mistreatment, abuse, and neglect;  
 2 background and records checks of persons providing  
 3 care to children in facilities certified under this  
 4 chapter; the use of seclusion, restraint, or other  
 5 restrictive interventions; health; safety; emergency;  
 6 and the physical premises on which care is provided  
 7 by a children's residential facility. The background  
 8 check requirements shall be substantially equivalent to  
 9 those applied under chapter 237 for a child foster care  
 10 facility provider.

11 Sec. 4. **NEW SECTION. 237C.4 Rules.**

12 1. Except as otherwise provided in this section,  
 13 the department shall adopt rules pursuant to chapter  
 14 17A to administer this chapter.

15 2. A children's residential facility shall be  
 16 inspected by the state fire marshal or the state fire  
 17 marshal's designee for compliance with rules relating  
 18 to fire safety before the department grants or renews  
 19 a certificate of approval under this chapter. Rules  
 20 governing fire safety in children's residential  
 21 facilities shall be promulgated by the state fire  
 22 marshal pursuant to section 100.1, subsection 5, after  
 23 consultation with the administrator.

24 3. Rules governing sanitation, water and waste  
 25 disposal standards for children's residential  
 26 facilities shall be adopted by the department of public  
 27 health pursuant to section 135.11, subsection 12, after  
 28 consultation with the administrator.

29 4. Rules governing educational programs and  
 30 education services provided by children's residential  
 31 facilities shall be adopted by the state board of  
 32 education pursuant to section 282.34.

33 5. In the case of a conflict between rules adopted  
 34 pursuant to subsections 2 and 3 and local rules, the  
 35 more stringent requirement applies.

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1 Sec. 5. **NEW SECTION. 237C.5 Certificate of**  
 2 **approval — certification required.**

3 A person shall not operate a children's residential

4 facility without a certificate of approval to operate  
5 issued by the administrator under this chapter.

6 Sec. 6. NEW SECTION. 237C.6 Certificate  
7 **application and issuance — denial, suspension, or**  
8 **revocation.**

9 1. A person shall apply for a certificate to  
10 operate a children's residential facility by completing  
11 and submitting to the administrator an application in  
12 a form and format approved by the administrator. The  
13 administrator shall issue or reissue a certificate  
14 of approval if the administrator determines that the  
15 applicant is or upon commencing operation will provide  
16 children's residential facility services in compliance  
17 with this chapter. A certificate of approval is valid  
18 for up to one year from the date of issuance for the  
19 period determined by the administrator in accordance  
20 with administrative rules providing criteria for making  
21 the determination.

22 2. The certificate of approval shall state on  
23 its face the name of the holder of the certificate,  
24 the particular premises for which the certificate is  
25 issued, and the number of children who may be cared for  
26 by the children's residential facility on the premises  
27 at one time under the certificate of occupancy issued  
28 by the state fire marshal or the state fire marshal's  
29 designee. The certificate of approval shall be posted  
30 in a conspicuous place in the children's residential  
31 facility.

32 3. The administrator may deny an application for  
33 issuance or reissuance of a certificate of approval  
34 or suspend or revoke a certificate of approval if  
35 the applicant or certificate holder, as applicable,

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1 fails to comply with this chapter or the rules adopted  
2 pursuant to this chapter or knowingly makes a false  
3 statement concerning a material fact or conceals a  
4 material fact on the application for the issuance or  
5 reissuance of a certificate of approval or in a report  
6 regarding operation of the children's residential  
7 facility submitted to the administrator. All  
8 operations of a children's residential facility shall  
9 cease during a period of suspension or revocation. The  
10 administrator shall suspend or revoke a certificate  
11 of approval of a children's residential facility that  
12 fails to comply with section 282.34.

13 Sec. 7. NEW SECTION. 237C.7 Restricted use of  
14 **facility.**

15 A children's residential facility shall operate  
16 only in a building or on premises designated in the  
17 certificate of approval.

18 Sec. 8. NEW SECTION. **237C.8 Reports and**  
 19 **inspections.**

20 The administrator may require submission of reports  
 21 by a certificate of approval holder and shall cause at  
 22 least one annual unannounced inspection of a children's  
 23 residential facility to assess compliance with  
 24 applicable requirements and standards. The inspections  
 25 shall be conducted by the department of inspections  
 26 and appeals in addition to initial, renewal, and  
 27 other inspections that result from complaints or  
 28 self-reported incidents. The department of inspections  
 29 and appeals and the department of human services may  
 30 examine records of a children's residential facility  
 31 and may inquire into matters concerning the children's  
 32 residential facility and its employees, volunteers, and  
 33 subcontractors relating to requirements and standards  
 34 for children's residential facilities under this  
 35 chapter.

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1 Sec. 9. NEW SECTION. **237C.9 Injunctive relief —**  
 2 **civil action.**

3 1. A person who establishes, conducts, manages,  
 4 or operates a children's residential facility without  
 5 a certificate of approval required pursuant to this  
 6 chapter, or a children's residential facility with  
 7 a certificate of approval that is not operating in  
 8 compliance with rules adopted pursuant to this chapter,  
 9 may be restrained by temporary or permanent injunction  
 10 from providing children's residential facility services  
 11 or from other involvement with child care. The action  
 12 may be instituted by the state or a county attorney.

13 2. The parent or legal guardian of a child who  
 14 is placed in a children's residential facility, the  
 15 state, or the school district in which the children's  
 16 residential facility is located, may bring a civil  
 17 action seeking relief from conduct constituting a  
 18 violation of this chapter or section 282.34 or to  
 19 prevent, restrain, or remedy such violation.

20 3. If successful in obtaining injunctive relief  
 21 under this section, the petitioner shall be awarded  
 22 reasonable attorney fees and court costs. Multiple  
 23 petitioners may join in a single action under this  
 24 section.

25 Sec. 10. NEW SECTION. **237C.10 Notice and hearings**  
 26 **— judicial review.**

27 The procedure governing notice and hearing to deny  
 28 an application or suspend or revoke a certificate of  
 29 approval shall be in accordance with rules adopted by  
 30 the department.

31 Sec. 11. NEW SECTION. **282.34 Educational programs**

32 **for children's residential facilities.**

33 1. A children's residential facility operating  
34 under a certificate of approval issued under chapter  
35 237C shall do all of the following:

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- 1 *a.* Provide an educational program and appropriate  
2 education services to children residing in the  
3 children's residential facility by contracting with the  
4 school district in which the children's residential  
5 facility is located, contracting with an accredited  
6 nonpublic school, or becoming accredited as a nonpublic  
7 school through the standards and accreditation process  
8 described in section 256.11 and adopted by rule by the  
9 state board of education.
- 10 *b.* Display prominently in all of its major  
11 publications and on its internet site a notice  
12 accurately describing the educational program and  
13 educational services provided by the children's  
14 residential facility.
- 15 *c.* Include in any promotional, advertising,  
16 or marketing materials regarding the children's  
17 residential facility available in print, broadcast, or  
18 via the internet or by any other means all fees charged  
19 by the children's residential facility for the services  
20 offered or provided by the children's residential  
21 facility and its refund policy for the return of  
22 refundable portions of any fees.
- 23 2. The state board of education may adopt by rule  
24 pursuant to chapter 17A standards for the following:
- 25 *a.* Educational programs and appropriate educational  
26 services provided under this section.
- 27 *b.* Contracts between children's residential  
28 facilities and school districts or accredited nonpublic  
29 schools.
- 30 *c.* Notices displayed in accordance with subsection  
31 1, paragraph "b".
- 32 3. A contract that fails to comply with any of the  
33 requirements of subsection 1, or with standards adopted  
34 by the state board of education under subsection 2, is  
35 void.

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- 1 Sec. 12. REPEAL. Chapter 237B, Code 2016, is  
2 repealed.
- 3 Sec. 13. REPORT REQUIREMENT. By January 1, 2017,  
4 the department of human services, the department of  
5 education, the department of public health, and the  
6 state fire marshal shall each submit a report to the  
7 general assembly concerning their progress in adopting

8 rules as appropriate under sections 237C.4 and 282.34,  
 9 as enacted by this Act.>  
 10 2. Title page, line 1, by striking <and licensure  
 11 for certain> and inserting <for and certification and  
 12 inspection of>  
 13 3. Title page, line 2, by striking <centers> and  
 14 inserting <residential facilities>

HERMAN C. QUIRMBACH

**S-5057**

1 Amend Senate File 2266 as follows:  
 2 1. By striking everything after the enacting clause  
 3 and inserting:  
 4 <Section 1. Section 97A.3, subsection 3, paragraphs  
 5 a and b, Code 2016, are amended to read as follows:  
 6 a. As used in this section, unless the context  
 7 otherwise requires, “reemployed” or “reemployment”  
 8 means the employment of a person by the state or in  
 9 a position which would otherwise be included as a  
 10 membership position under subsection 1, after the  
 11 person has commenced receiving a service retirement  
 12 allowance under section 97A.6.  
 13 b. (1) If a person is reemployed, the person  
 14 shall not become an active member of the system  
 15 upon reemployment if applicable, and the person  
 16 so reemployed and the state of Iowa shall not make  
 17 contributions to the system based upon the person’s  
 18 compensation for reemployment.  
 19 (2) A person who is so reemployed shall continue to  
 20 receive the service retirement allowance subject to the  
 21 requirements of this subparagraph (2), and the service  
 22 retirement allowance shall not be recalculated based  
 23 upon the person’s reemployment. Notwithstanding any  
 24 provision to the contrary, a person who is reemployed  
 25 shall have the person’s service retirement allowance  
 26 reduced by a dollar for each dollar the person earns as  
 27 a result of the reemployment. Notwithstanding section  
 28 97B.1A or any other provision of law to the contrary, a  
 29 person reemployed as provided in this subsection shall  
 30 be exempt from chapter 97B.  
 31 Sec. 2. Section 97B.48A, Code 2016, is amended by  
 32 adding the following new subsection:  
 33 NEW SUBSECTION. 6. Notwithstanding any provision  
 34 of this section to the contrary, if a member who has  
 35 a bona fide retirement under this chapter is employed

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1 by the state during a calendar year, the member’s  
 2 retirement allowance shall be reduced by a dollar for  
 3 each dollar the member earns in employment with the



4 state.

5 Sec. 3. Section 602.9110, Code 2016, is amended by  
6 striking the section and inserting in lieu thereof the  
7 following:

8 **602.9110 Reemployment.**

9 1. If any person, except a survivor, entitled to  
10 receive an annuity under this chapter is employed as  
11 a state officer or employee during a calendar year,  
12 the person's annuity shall be reduced by a dollar for  
13 each dollar the member earns while employed as a state  
14 officer or employee.

15 2. This section does not apply to a senior judge  
16 while serving as provided in section 602.9206.>

17 2. Title page, line 1, by striking <prohibitions>  
18 and inserting <earnings restrictions>

19 3. Title page, by striking line 2 and inserting <an  
20 annuity or retirement allowance under certain public  
21 retirement systems.>

MARK CHELGREN

**S-5058**

1 Amend Senate File 2261 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:

4 <Section 1. NEW SECTION. **514C.5A Prescription drug**  
5 **medication synchronization.**

6 1. A carrier, as defined in section 513B.2, that  
7 provides prescription drug coverage through a policy  
8 or contract delivered, issued for delivery, continued,  
9 or renewed on or after January 1, 2017, shall offer  
10 medication synchronization services that allow for the  
11 alignment of refill dates for a covered individual's  
12 prescription drugs that are a covered benefit. Such  
13 carrier shall comply with all of the following:

14 a. Shall not deny coverage and shall prorate the  
15 cost sharing rate for a prescription drug that is a  
16 covered benefit and is dispensed by a network pharmacy  
17 in less than the standard refill amount, if the covered  
18 individual requests both enrollment in a medication  
19 synchronization program and a less-than-standard refill  
20 amount for the purposes of medication synchronization.

21 b. Shall accept early refill and short fill  
22 requests for prescription drugs using the submission  
23 clarification and message codes adopted by the national  
24 council for prescription drug plans or alternative  
25 codes specified by the carrier.

26 c. Shall pay the ingredient cost and the dispensing  
27 fee in accordance with the contracted rate for each  
28 submitted claim, regardless of the days' supply  
29 specified in the claim submitted.

30 2. For purposes of this section, “*medication*  
 31 *synchronization*” means the coordination of medication  
 32 refills for a patient taking two or more medications  
 33 for a chronic condition that are dispensed by a single  
 34 network pharmacy to facilitate the synchronization  
 35 of an individual’s medications for the purpose of

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1 improving medication adherence.>

STEVEN J. SODDERS

### S-5059

1 Amend Senate File 2253 as follows:  
 2 1. Page 1, lines 10 and 11, by striking  
 3 <transferred, as determined by an independent  
 4 professional appraiser> and inserting <transferred>

CHAZ ALLEN

### S-5060

1 Amend Senate File 2248 as follows:  
 2 1. By striking page 1, line 3, through page 6, line  
 3 25, and inserting:  
 4 <Sec. \_\_\_. Section 321.1, Code 2016, is amended by  
 5 adding the following new subsection:  
 6 NEW SUBSECTION. 06A. “*Autocycle*” means a  
 7 three-wheeled motor vehicle originally designed with  
 8 two front wheels and one rear wheel, a steering wheel  
 9 rather than handlebars, no more than two permanent  
 10 seats that do not require the operator or a passenger  
 11 to straddle or sit astride the vehicle, and foot  
 12 pedals that control the brakes, acceleration, and  
 13 clutch, where applicable. A motor vehicle meeting the  
 14 definition of “*autocycle*” is an autocycle even if the  
 15 vehicle bears a vehicle identification number, or is  
 16 accompanied by a manufacturer’s certificate of origin,  
 17 that identifies the vehicle as a motorcycle.  
 18 Sec. \_\_\_. Section 321.1, subsection 40, paragraph  
 19 a, Code 2016, is amended to read as follows:  
 20 a. “*Motorcycle*” means every motor vehicle having a  
 21 saddle or seat for the use of the rider and designed to  
 22 travel on not more than three wheels in contact with  
 23 the ground including a motor scooter but excluding a  
 24 tractor, an autocycle, and a motorized bicycle.  
 25 Sec. \_\_\_. Section 321.34, subsection 1, Code 2016,  
 26 is amended to read as follows:  
 27 1. *Plates issued.* The county treasurer upon  
 28 receiving application, accompanied by proper fee, for

29 registration of a vehicle shall issue to the owner one  
30 registration plate for a motorcycle, motorized bicycle,  
31 autocycle, truck tractor, trailer, or semitrailer and  
32 two registration plates for every other motor vehicle.  
33 The registration plates, including special registration  
34 plates, shall be assigned to the owner of a vehicle.  
35 When the owner of a registered vehicle transfers or

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1 assigns ownership of the vehicle to another person, the  
2 owner shall remove the registration plates from the  
3 vehicle. The owner shall forward the plates to the  
4 county treasurer where the vehicle is registered or the  
5 owner may have the plates assigned to another vehicle  
6 within thirty days after transfer, upon payment of the  
7 fees required by law. The owner shall immediately  
8 affix registration plates retained by the owner  
9 to another vehicle owned or acquired by the owner,  
10 providing the owner complies with section 321.46.  
11 The department shall adopt rules providing for the  
12 assignment of registration plates to the transferee of  
13 a vehicle for which a credit is allowed under section  
14 321.46, subsection 6.

15 Sec. \_\_\_\_\_. Section 321.34, subsection 5, paragraph  
16 a, Code 2016, is amended to read as follows:

17 a. Upon application and the payment of a fee of  
18 twenty-five dollars, the director may issue to the  
19 owner of a motor vehicle registered in this state or  
20 a trailer or travel trailer registered in this state,  
21 personalized registration plates marked with up to  
22 seven initials, letters, or combination of numerals and  
23 letters requested by the owner. However, personalized  
24 registration plates for autocycles, motorcycles, and  
25 motorized bicycles shall be marked with no more than  
26 six initials, letters, or combinations of numerals and  
27 letters. Upon receipt of the personalized registration  
28 plates, the applicant shall surrender the regular  
29 registration plates to the county treasurer. The fee  
30 for issuance of the personalized registration plates  
31 shall be in addition to the regular annual registration  
32 fee.

33 Sec. \_\_\_\_\_. Section 321.34, subsection 8, paragraph  
34 a, Code 2016, is amended to read as follows:

35 a. The owner of a motor vehicle subject to

Page 3

1 registration under section 321.109, subsection  
2 1, autocycle, motorcycle, trailer, or motor truck  
3 who has been awarded the medal of honor may, upon  
4 written application to the department, order special

5 registration plates which shall be red, white, and blue  
 6 in color and shall bear an emblem of the medal of honor  
 7 and an identifying number. Each applicant applying for  
 8 special registration plates under this subsection may  
 9 order only one set of registration plates under this  
 10 subsection. The application is subject to approval  
 11 by the department and the special registration plates  
 12 shall be issued at no charge to the applicant in  
 13 exchange for the registration plates previously issued  
 14 to the person. A person who is issued special plates  
 15 under this subsection is exempt from payment of any  
 16 annual registration fee for the motor vehicle bearing  
 17 the special plates. The department shall validate  
 18 the special plates in the same manner as regular  
 19 registration plates are validated under this section.  
 20 The department shall not issue special registration  
 21 plates until service organizations in the state have  
 22 furnished the department either the special dies or the  
 23 cost of the special dies necessary for the manufacture  
 24 of the special registration plate.

25 Sec. \_\_\_\_ Section 321.34, subsection 8A, paragraph  
 26 a, Code 2016, is amended to read as follows:

27 a. The owner of a motor vehicle subject to  
 28 registration under section 321.109, subsection 1,  
 29 autocycle, motorcycle, trailer, or motor truck who was  
 30 a prisoner of war during a time of military conflict  
 31 may, upon written application to the department, order  
 32 only one set of special registration plates with an  
 33 ex-prisoner of war processed emblem. The emblem shall  
 34 be designed by the department in cooperation with the  
 35 adjutant general and shall signify that the owner was

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1 a prisoner of war as described in this subsection. The  
 2 application is subject to approval by the department,  
 3 in consultation with the adjutant general. The special  
 4 plates shall be issued at no charge and are subject to  
 5 an annual registration fee of fifteen dollars. The  
 6 county treasurer shall validate the special plates in  
 7 the same manner as regular registration plates are  
 8 validated under this section.

9 Sec. \_\_\_\_ Section 321.34, subsection 11, paragraph  
 10 a, Code 2016, is amended to read as follows:

11 a. Upon application and payment of the proper fees,  
 12 the director may issue natural resources plates to the  
 13 owner of a motor vehicle subject to registration under  
 14 section 321.109, subsection 1, autocycle, motor truck,  
 15 motor home, multipurpose vehicle, motorcycle, trailer,  
 16 or travel trailer.

17 Sec. \_\_\_\_ Section 321.34, subsection 11A, paragraph  
 18 a, Code 2016, is amended to read as follows:

19     *a.* Upon application and payment of the proper fees,  
20 the director may issue “love our kids” plates to the  
21 owner of a motor vehicle subject to registration under  
22 section 321.109, subsection 1, autocycle, motor truck,  
23 motor home, multipurpose vehicle, motorcycle, trailer,  
24 or travel trailer.

25     Sec. \_\_\_\_\_. Section 321.34, subsection 11B, paragraph  
26 a, Code 2016, is amended to read as follows:

27     *a.* Upon application and payment of the proper fees,  
28 the director may issue “motorcycle rider education”  
29 plates to the owner of a motor vehicle subject to  
30 registration under section 321.109, subsection 1,  
31 autocycle, motor truck, motor home, multipurpose  
32 vehicle, motorcycle, trailer, or travel trailer.

33     Sec. \_\_\_\_\_. Section 321.34, subsection 12, paragraphs  
34 a and d, Code 2016, are amended to read as follows:

35     *a.* The owner of a motor vehicle subject to

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1 registration pursuant to section 321.109, subsection  
2 1, autocycle, motor truck, motor home, multipurpose  
3 vehicle, motorcycle, trailer, or travel trailer may,  
4 upon written application to the department, order  
5 special registration plates with a distinguishing  
6 processed emblem as authorized by this section or as  
7 approved by the department. The fee for the issuance  
8 of special registration plates is twenty-five dollars  
9 for each vehicle, unless otherwise provided by this  
10 section, which fee is in addition to the regular annual  
11 registration fee. The county treasurer shall validate  
12 special registration plates with a distinguishing  
13 processed emblem in the same manner as regular  
14 registration plates, upon payment of five dollars in  
15 addition to the regular annual registration fee.

16     *d.* A special registration plate issued for a  
17 motorcycle, autocycle, or motorized bicycle under this  
18 section shall be designated in the manner provided for  
19 personalized registration plates under subsection 5,  
20 paragraph “a”.

21     Sec. \_\_\_\_\_. Section 321.34, subsection 15, paragraph  
22 a, Code 2016, is amended to read as follows:

23     *a.* The owner of a motor vehicle subject to  
24 registration under section 321.109, subsection 1,  
25 autocycle, motorcycle, trailer, or motor truck who has  
26 been awarded the legion of merit shall be issued one  
27 set of special registration plates with a legion of  
28 merit processed emblem, upon written application to  
29 the department and presentation of satisfactory proof  
30 of the award of the legion of merit as established by  
31 the Congress of the United States. The emblem shall  
32 be designed by the department in cooperation with the

33 adjutant general and shall signify that the owner  
 34 was awarded the legion of merit. The application is  
 35 subject to approval by the department, in consultation

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1 with the adjutant general. The special plates shall  
 2 be issued at no charge and are subject to an annual  
 3 registration fee of fifteen dollars. The county  
 4 treasurer shall validate the special plates in the same  
 5 manner as regular registration plates are validated  
 6 under this section.

7 Sec. \_\_\_\_ Section 321.37, subsections 1 and 2, Code  
 8 2016, are amended to read as follows:

9 1. Registration plates issued for a motor vehicle  
 10 other than ~~a~~ an autocycle, motorcycle, motorized  
 11 bicycle, or ~~a~~ truck tractor shall be attached to  
 12 the motor vehicle, one in the front and the other in  
 13 the rear. The registration plate issued for ~~a~~ an  
 14 autocycle, motorcycle, or other vehicle required to be  
 15 registered hereunder shall be attached to the rear of  
 16 the vehicle. The registration plate issued for a truck  
 17 tractor shall be attached to the front of the truck  
 18 tractor. The special plate issued to a dealer shall be  
 19 attached on the rear of the vehicle when operated on  
 20 the highways of this state.

21 2. Registration plates issued for a motor vehicle  
 22 which is model year 1948 or older, and reconstructed  
 23 or specially constructed vehicles built to resemble  
 24 a model year 1948 vehicle or older, other than a  
 25 truck registered for more than five tons, autocycle,  
 26 motorcycle, or truck tractor, may display one  
 27 registration plate on the rear of the vehicle if the  
 28 other registration plate issued to the vehicle is  
 29 carried in the vehicle at all times when the vehicle is  
 30 operated on a public highway.

31 Sec. \_\_\_\_ Section 321.69, subsection 9, Code 2016,  
 32 is amended to read as follows:

33 9. Except for subsections 10 and 11, this section  
 34 does not apply to motor trucks and truck tractors with  
 35 a gross vehicle weight rating of sixteen thousand

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1 pounds or more, vehicles more than seven model years  
 2 old, autocycles, motorcycles, motorized bicycles, and  
 3 special mobile equipment. This section does apply to  
 4 motor homes. The requirement in subsection 1 that  
 5 the new certificate of title and registration receipt  
 6 shall state on the face whether a prior owner had  
 7 disclosed that the vehicle was damaged to the extent  
 8 that it was a wrecked or salvage vehicle as defined

9 in section 321.52, subsection 4, paragraph “d”, does  
10 not apply to a vehicle with a certificate of title  
11 bearing a designation that the vehicle was previously  
12 titled on a salvage certificate of title pursuant to  
13 section 321.52, subsection 4, paragraph “b”, or to a  
14 vehicle with a certificate of title bearing a “REBUILT”  
15 or “SALVAGE” designation pursuant to section 321.24,  
16 subsection 4 or 5. Except for subsections 10 and 11,  
17 this section does not apply to new motor vehicles  
18 with a true mileage, as defined in section 321.71, of  
19 one thousand miles or less, unless such vehicle has  
20 incurred damage as described in subsection 2.

21 Sec. \_\_\_\_ Section 321.105A, subsection 2, paragraph  
22 c, subparagraph (6), Code 2016, is amended to read as  
23 follows:

24 (6) Vehicles, excluding autocycles, motorcycles,  
25 and motorized bicycles, subject to registration in  
26 any state when purchased for rental or registered and  
27 titled by a motor vehicle dealer licensed pursuant to  
28 chapter 322 for rental use, and held for rental for a  
29 period of one hundred twenty days or more and actually  
30 rented for periods of sixty days or less by a person  
31 regularly engaged in the business of renting vehicles,  
32 including but not limited to motor vehicle dealers  
33 licensed pursuant to chapter 322 who rent automobiles  
34 to users, if the rental of the vehicles is subject to  
35 taxation under section 423.2 or chapter 423C.

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1 Sec. \_\_\_\_ Section 321.109, subsection 1, paragraph  
2 a, Code 2016, is amended to read as follows:  
3 a. The annual fee for all motor vehicles including  
4 vehicles designated by manufacturers as station  
5 wagons, 1993 and subsequent model year multipurpose  
6 vehicles, and 2010 and subsequent model year motor  
7 trucks with an unladen weight of ten thousand pounds  
8 or less, except motor trucks registered under section  
9 321.122, business-trade trucks, special trucks, motor  
10 homes, motorsports recreational vehicles, ambulances,  
11 hearses, autocycles, motorcycles, motorized bicycles,  
12 and 1992 and older model year multipurpose vehicles,  
13 shall be equal to one percent of the value as fixed by  
14 the department plus forty cents for each one hundred  
15 pounds or fraction thereof of weight of vehicle,  
16 as fixed by the department. The weight of a motor  
17 vehicle, fixed by the department for registration  
18 purposes, shall include the weight of a battery,  
19 heater, bumpers, spare tire, and wheel. Provided,  
20 however, that for any new vehicle purchased in this  
21 state by a nonresident for removal to the nonresident’s  
22 state of residence the purchaser may make application

23 to the county treasurer in the county of purchase for  
 24 a transit plate for which a fee of ten dollars shall  
 25 be paid. And provided, however, that for any used  
 26 vehicle held by a registered dealer and not currently  
 27 registered in this state, or for any vehicle held  
 28 by an individual and currently registered in this  
 29 state, when purchased in this state by a nonresident  
 30 for removal to the nonresident's state of residence,  
 31 the purchaser may make application to the county  
 32 treasurer in the county of purchase for a transit  
 33 plate for which a fee of three dollars shall be paid.  
 34 The county treasurer shall issue a nontransferable  
 35 certificate of registration for which no refund shall

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1 be allowed; and the transit plates shall be void thirty  
 2 days after issuance. Such purchaser may apply for a  
 3 certificate of title by surrendering the manufacturer's  
 4 or importer's certificate or certificate of title,  
 5 duly assigned as provided in this chapter. In this  
 6 event, the treasurer in the county of purchase shall,  
 7 when satisfied with the genuineness and regularity of  
 8 the application, and upon payment of a fee of twenty  
 9 dollars, issue a certificate of title in the name and  
 10 address of the nonresident purchaser delivering the  
 11 title to the owner. If there is a security interest  
 12 noted on the title, the county treasurer shall mail to  
 13 the secured party an acknowledgment of the notation  
 14 of the security interest. The county treasurer shall  
 15 not release a security interest that has been noted on  
 16 a title issued to a nonresident purchaser as provided  
 17 in this paragraph. The application requirements of  
 18 section 321.20 apply to a title issued as provided  
 19 in this subsection, except that a natural person  
 20 who applies for a certificate of title shall provide  
 21 either the person's social security number, passport  
 22 number, or driver's license number, whether the license  
 23 was issued by this state, another state, or another  
 24 country. The provisions of this subsection relating to  
 25 multipurpose vehicles are effective for all 1993 and  
 26 subsequent model years. The annual registration fee  
 27 for multipurpose vehicles that are 1992 model years and  
 28 older shall be in accordance with section 321.124.  
 29 Sec. \_\_\_\_\_. Section 321.117, Code 2016, is amended to  
 30 read as follows:

31 **321.117 Motorcycle, autocycle, ambulance, and hearse**  
 32 **fees.**

33 For all motorcycles and autocycles the annual  
 34 registration fee shall be twenty dollars. For all  
 35 motorized bicycles the annual registration fee shall



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1 be seven dollars. When the motorcycle or autocycle is  
2 more than five model years old, the annual registration  
3 fee shall be ten dollars. The annual registration fee  
4 for ambulances and hearses shall be fifty dollars.  
5 Passenger car plates shall be issued for ambulances and  
6 hearses.

7 Sec. \_\_\_\_ Section 321.166, subsections 1, 3, and 4,  
8 Code 2016, are amended to read as follows:

9 1. a. Registration plates shall be of metal and  
10 of a size not to exceed six inches by twelve inches,  
11 except that the size of plates issued for use on  
12 autocycles, motorized bicycles, motorcycles, motorcycle  
13 trailers, and trailers with an empty weight of two  
14 thousand pounds or less shall be established by the  
15 department.

16 b. Trailers with empty weights of two thousand  
17 pounds or less may, upon request, be licensed with  
18 regular-sized license plates.

19 3. The registration plate number shall be displayed  
20 in characters which shall not exceed a height of four  
21 inches nor a stroke width exceeding five-eighths of an  
22 inch. Special plates issued to dealers shall display  
23 the alphabetical character "D", which shall be of the  
24 same size as the characters in the registration plate.  
25 The registration plate number issued for autocycles,  
26 motorized bicycles, motorcycles, trailers with an empty  
27 weight of two thousand pounds or less, and motorcycle  
28 trailers shall be a size prescribed by the department.

29 4. The registration plate number, except on  
30 autocycles, motorized bicycles, motorcycles, motorcycle  
31 trailers, and trailers with an empty weight of two  
32 thousand pounds or less, shall be of sufficient size to  
33 be readable from a distance of one hundred feet during  
34 daylight.

35 Sec. \_\_\_\_ Section 322.2, Code 2016, is amended by

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1 adding the following new subsection:

2 NEW SUBSECTION. 1A. "Autocycle" means as defined  
3 in section 321.1.

4 Sec. \_\_\_\_ Section 322.5, subsection 6, paragraph a,  
5 unnumbered paragraph 1, Code 2016, is amended to read  
6 as follows:

7 Upon application for and receipt of a temporary  
8 permit issued by the department under this subsection,  
9 a motor vehicle dealer authorized to sell used  
10 motorcycles or autocycles may display, offer for sale,  
11 and negotiate sales of used motorcycles or autocycles  
12 at a motorcycle rally located in this state that meets

13 all of the following conditions:

14 Sec. \_\_\_\_ Section 322.5, subsection 6, paragraph  
15 b, subparagraph (1), Code 2016, is amended to read as  
16 follows:

17 (1) The person presents the department with a  
18 current motor vehicle dealer license valid for the sale  
19 of used motorcycles or autocycles at retail in the  
20 person's state of residence.

21 Sec. \_\_\_\_ Section 322.5, subsection 6, paragraph d,  
22 Code 2016, is amended to read as follows:

23 d. A sale of a motorcycle or autocycle at a  
24 motorcycle rally shall not be completed and an  
25 agreement for the sale of a motorcycle or autocycle  
26 shall not be signed at a motorcycle rally. All  
27 such sales shall be consummated at the motor vehicle  
28 dealer's principal place of business.

29 Sec. \_\_\_\_ Section 322.36, Code 2016, is amended to  
30 read as follows:

31 **322.36 Motorcycle and autocycle dealer business**  
32 **hours.**

33 A person in the business of selling motorcycles  
34 or autocycles under chapter 322D is not required  
35 to maintain regular business hours at the dealer's

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1 principal place of business or other place of business.

2 Sec. \_\_\_\_ Section 322D.1, subsection 2, Code 2016,  
3 is amended to read as follows:

4 2. "*Attachment*" means a machine or part of a  
5 machine designed to be used on and in conjunction with  
6 a farm implement, motorcycle, autocycle, all-terrain  
7 vehicle, or snowmobile.

8 Sec. \_\_\_\_ Section 322D.1, Code 2016, is amended by  
9 adding the following new subsection:

10 **NEW SUBSECTION.** 2A. "*Autocycle*" means as defined  
11 in section 321.1.

12 Sec. \_\_\_\_ Section 322D.1, subsection 4, paragraphs  
13 b and e, Code 2016, are amended to read as follows:

14 b. The franchisee is granted the right to offer  
15 and sell farm implements, motorcycles, autocycles,  
16 all-terrain vehicles, snowmobiles, or related parts  
17 or attachments manufactured or distributed by the  
18 franchiser.

19 e. The operation of the franchisee's business  
20 is substantially reliant on the franchiser for the  
21 continued supply of farm implements, motorcycles,  
22 autocycles, all-terrain vehicles, snowmobiles, or  
23 related parts or attachments.

24 Sec. \_\_\_\_ Section 322D.1, subsections 5, 6, and 7,  
25 Code 2016, are amended to read as follows:

26 5. "*Franchisee*" means a person who receives farm

27 implements, motorcycles, autocycles, all-terrain  
28 vehicles, snowmobiles, or related parts or attachments  
29 from the franchiser under a franchise and who offers  
30 and sells the farm implements, motorcycles, autocycles,  
31 all-terrain vehicles, snowmobiles, or related parts or  
32 attachments to the general public.  
33 6. "Franchiser" means a person who manufactures,  
34 wholesales, or distributes farm implements,  
35 motorcycles, autocycles, all-terrain vehicles,

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1 snowmobiles, or related parts or attachments, and who  
2 enters into a franchise.  
3 7. "Motorcycle" means a motor vehicle as defined  
4 in section 321.1 other than an all-terrain vehicle,  
5 which has a saddle or seat for the use of a rider and  
6 that is designed to travel on not more than two wheels  
7 in contact with the ground, but excluding a motorized  
8 bicycle or autocycle as defined in section 321.1.  
9 Sec. \_\_\_\_ Section 322D.2, Code 2016, is amended to  
10 read as follows:  
11 **322D.2 Franchisee's rights to payment.**  
12 1. A franchisee who enters into a written  
13 franchise with a franchiser to maintain a stock of  
14 farm implements, motorcycles, autocycles, all-terrain  
15 vehicles, snowmobiles, or related parts or attachments  
16 has the following rights to payment, at the option of  
17 the franchisee, if the franchise is terminated:  
18 a. One hundred percent of the net cost of new,  
19 unused, complete farm implements, motorcycles,  
20 autocycles, all-terrain vehicles, snowmobiles, or  
21 related attachments, which were purchased from the  
22 franchiser. In addition, the franchisee shall have  
23 a right of payment for transportation charges on the  
24 farm implements, motorcycles, autocycles, all-terrain  
25 vehicles, or snowmobiles, which have been paid by the  
26 franchisee.  
27 b. Eighty-five percent of the net prices of any  
28 repair parts, including superseded parts, which  
29 were purchased from the franchiser and held by the  
30 franchisee on the date that the franchise terminated.  
31 c. Five percent of the net prices of parts resold  
32 under paragraph "b" for handling, packing, and loading  
33 of the parts. However, this payment shall not be due  
34 to the franchisee if the franchiser elects to perform  
35 the handling, packing, and loading.

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1 2. Upon receipt of the payments due under  
2 subsection 1, the franchiser is entitled to possession  
3 of and title to the farm implements, motorcycles,

4 autocycles, all-terrain vehicles, snowmobiles, or  
 5 related parts or attachments.  
 6 3. The cost of farm implements, motorcycles,  
 7 autocycles, all-terrain vehicles, snowmobiles, or  
 8 related attachments and the price of repair parts shall  
 9 be determined by reference to the franchiser's price  
 10 list or catalog in effect at the time of the franchise  
 11 termination.  
 12 Sec. \_\_\_\_ Section 322D.3, subsections 7 and 9, Code  
 13 2016, are amended to read as follows:  
 14 7. A farm implement, motorcycle, autocycle,  
 15 all-terrain vehicle, or snowmobile which is not in new,  
 16 unused, undamaged, or complete condition.  
 17 9. A farm implement, motorcycle, autocycle,  
 18 all-terrain vehicle, or snowmobile which was purchased  
 19 twenty-four months or more prior to the termination of  
 20 the franchise.  
 21 Sec. \_\_\_\_ Section 322D.8, Code 2016, is amended to  
 22 read as follows:  
 23 **322D.8 Application — motorcycle or autocycle**  
 24 **franchise agreements.**  
 25 The rights under section 322D.2, subsection 1,  
 26 apply to motorcycle or autocycle franchise agreements  
 27 in effect on July 1, 1985, which have no expiration  
 28 date and are continuing agreements, and to those  
 29 entered into or renewed after July 1, 1985, but only to  
 30 motorcycles, autocycles, and motorcycle or autocycle  
 31 attachments and parts purchased after July 1, 1985.  
 32 Sec. \_\_\_\_ Section 322G.2, subsection 13, Code 2016,  
 33 is amended to read as follows:  
 34 13. "*Motor vehicle*" means a self-propelled vehicle  
 35 purchased or leased in this state, except as provided

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1 in section 322G.15, and primarily designed for the  
 2 transportation of persons or property over public  
 3 streets and highways, but does not include mopeds,  
 4 motorcycles, autocycles, motor homes, or vehicles over  
 5 fifteen thousand pounds gross vehicle weight rating.>  
 6 2. Page 8, by striking lines 25 through 34 and  
 7 inserting:  
 8 <Sec. \_\_\_\_ Section 321.194, Code 2016, is amended  
 9 to read as follows:  
 10 **321.194 Special minors' licenses.**  
 11 1. ~~Driver's license issued for travel to and from~~  
 12 ~~school~~ Persons eligible. Upon certification of a  
 13 special need by the school board, superintendent of  
 14 the applicant's school, or principal, if authorized by  
 15 the superintendent, the department may issue a class  
 16 C or M driver's license to a person between the ages  
 17 of fourteen and eighteen years ~~whose~~ if all of the

18 following apply:

19 a. The person's driving privileges have not been  
 20 suspended, revoked, or barred under this chapter or  
 21 chapter 321J during, and ~~who~~ the person has not been  
 22 convicted of a moving traffic violation or involved  
 23 in a motor vehicle accident for, the six-month period  
 24 immediately preceding the application for the special  
 25 minor's license ~~and who~~.

26 b. The person has successfully completed an  
 27 approved driver education course. However, the  
 28 completion of a course is not required if the applicant  
 29 demonstrates to the satisfaction of the department  
 30 that completion of the course would impose a hardship  
 31 upon the applicant. The department shall adopt rules  
 32 defining the term "*hardship*" and establish procedures  
 33 for the demonstration and determination of when  
 34 completion of the course would impose a hardship upon  
 35 an applicant.

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1 2. Driving privileges.

2 a. Permitted operations. The driver's license  
 3 entitles the holder, while having the license in  
 4 immediate possession, to operate a motor vehicle other  
 5 than a commercial motor vehicle or as a chauffeur:

6 (1) During the hours of 5:00 a.m. to 10:00 p.m.  
 7 over the most direct and accessible route between the  
 8 licensee's residence and schools of enrollment or  
 9 the closest school bus stop or public transportation  
 10 service, and between schools of enrollment, for  
 11 the purpose of attending duly scheduled courses of  
 12 instruction and extracurricular activities within the  
 13 school district of enrollment.

14 (2) During the hours of 5:00 a.m. to 10:00 p.m.  
 15 over the most direct and accessible route between the  
 16 licensee's residence or school of enrollment and a  
 17 site, facility, or school that is not the ~~student's~~  
 18 licensee's school of enrollment for the purpose of  
 19 participating in extracurricular activities conducted  
 20 under a sharing agreement with the ~~student's licensee's~~  
 21 school of enrollment or conducted at a site or facility  
 22 designated by the licensee's school district for  
 23 the accommodation of the school's extracurricular  
 24 activities, provided the site, facility, or school is  
 25 within the licensee's school district of enrollment  
 26 or is within a school district contiguous to the  
 27 licensee's school district of enrollment.

28 (3) To a service station for the purpose of  
 29 refueling, so long as the service station is the  
 30 station closest to the route the licensee is traveling  
 31 on under subparagraph (1) or (2).

32 (4) At any time when the licensee is accompanied in  
 33 accordance with section 321.180B, subsection 1.  
 34 *b. Restrictions.*  
 35 *(1) Passengers.* Unless accompanied in accordance

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1 with section 321.180B, subsection 1, a person issued  
 2 a driver's license pursuant to this section must  
 3 limit the number of unrelated minor passengers in  
 4 the motor vehicle when the licensee is operating the  
 5 motor vehicle to one. For purposes of this section,  
 6 "unrelated minor passenger" means a passenger who is  
 7 under eighteen years of age and who is not a sibling of  
 8 the driver, a stepsibling of the driver, or a child who  
 9 resides in the same household as the driver.  
 10 *(2) Electronic communication devices.* A person  
 11 issued a driver's license under this section shall not  
 12 use an electronic communication device or an electronic  
 13 entertainment device while driving a motor vehicle  
 14 unless the motor vehicle is at a complete stop off the  
 15 traveled portion of the roadway. This subparagraph  
 16 does not apply to the use of electronic equipment which  
 17 is permanently installed in the motor vehicle or to a  
 18 portable device which is operated through permanently  
 19 installed equipment. The department, in cooperation  
 20 with the department of public safety, shall establish  
 21 educational programs to foster compliance with the  
 22 requirements of this subparagraph.  
 23 *or 3. Certification of need and issuance of*  
 24 *license.* Each application shall be accompanied by  
 25 a statement from the school board, superintendent,  
 26 or principal, if authorized by the superintendent,  
 27 of the applicant's school. The statement shall be  
 28 upon a form provided by the department. The school  
 29 board, superintendent, or principal, if authorized by  
 30 the superintendent, shall certify that a need exists  
 31 for the license and that the board, superintendent,  
 32 or principal authorized by the superintendent is not  
 33 responsible for actions of the applicant which pertain  
 34 to the use of the driver's license. Upon receipt of a  
 35 statement of necessity, the department shall issue the

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1 driver's license provided the applicant is otherwise  
 2 eligible for issuance of the license. The fact that  
 3 the applicant resides at a distance less than one mile  
 4 from the applicant's school of enrollment is prima  
 5 facie evidence of the nonexistence of necessity for  
 6 the issuance of a license. The school board shall  
 7 develop and adopt a policy establishing the criteria

8 that shall be used by a school district administrator  
 9 to approve or deny certification that a need exists for  
 10 a license. The student may appeal to the school board  
 11 the decision of a school district administrator to  
 12 deny certification. The decision of the school board  
 13 is final. The driver's license shall not be issued  
 14 for purposes of attending a public school in a school  
 15 district other than either of the following:

16 ~~(1)~~ a. The district of residence of the parent or  
 17 guardian of the student.

18 ~~(2)~~ b. A district which is contiguous to the  
 19 district of residence of the parent or guardian of  
 20 the student, if the student is enrolled in the public  
 21 school which is not the school district of residence  
 22 because of open enrollment under section 282.18 or as  
 23 a result of an election by the student's district of  
 24 residence to enter into one or more sharing agreements  
 25 pursuant to the procedures in chapter 282.

26 ~~d. (1) A person issued a driver's license under~~  
 27 ~~this section shall not use an electronic communication~~  
 28 ~~device or an electronic entertainment device while~~  
 29 ~~driving a motor vehicle unless the motor vehicle is~~  
 30 ~~at a complete stop off the traveled portion of the~~  
 31 ~~roadway. This subparagraph does not apply to the use~~  
 32 ~~of electronic equipment which is permanently installed~~  
 33 ~~in the motor vehicle or to a portable device which is~~  
 34 ~~operated through permanently installed equipment.~~

35 ~~(2) The department, in cooperation with the~~

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1 department of public safety, shall establish  
 2 educational programs to foster compliance with the  
 3 requirements of subparagraph (1).

4 ~~2.~~ 4. *Suspension and revocation.* A driver's  
 5 license issued under this section is subject to  
 6 suspension or revocation for the same reasons and  
 7 in the same manner as suspension or revocation of  
 8 any other driver's license. The department may also  
 9 suspend a driver's license issued under this section  
 10 upon receiving satisfactory evidence that the licensee  
 11 has violated the restrictions of the license or has  
 12 been involved in one or more accidents chargeable to  
 13 the licensee. The department may suspend a driver's  
 14 license issued under this section upon receiving a  
 15 record of the licensee's conviction for one violation.  
 16 The department shall revoke the license upon receiving  
 17 a record of conviction for two or more violations of a  
 18 law of this state or a city ordinance regulating the  
 19 operation of motor vehicles on highways other than  
 20 parking violations as defined in section 321.210.  
 21 After a person licensed under this section receives two

22 or more convictions which require revocation of the  
 23 person's license under this section, the department  
 24 shall not grant an application for a new driver's  
 25 license until the expiration of thirty days.  
 26 ~~3.~~ 5. *Citations for violation of restrictions.* A  
 27 person who violates the restrictions imposed under  
 28 subsection ~~1~~, paragraph "~~a~~" or "~~d~~", 2 may be issued a  
 29 citation under this section and shall not be issued a  
 30 citation under section 321.193. A violation of the  
 31 restrictions imposed under subsection ~~1~~, paragraph "~~a~~"  
 32 or "~~d~~", 2 shall not be considered a moving violation.  
 33 Sec. \_\_\_\_\_. Section 321.482A, unnumbered paragraph 1,  
 34 Code 2016, is amended to read as follows:  
 35 Notwithstanding section 321.482, a person who is

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1 convicted of operating a motor vehicle in violation  
 2 of section 321.178, subsection 2, paragraph "a",  
 3 subparagraph (2), section 321.180B, subsection 6,  
 4 section 321.194, subsection ~~1~~ 2, paragraph "~~a~~" "b",  
 5 subparagraph (2), section 321.256, section 321.257,  
 6 section 321.275, subsection 4, section 321.276,  
 7 321.297, 321.298, 321.299, 321.302, 321.303, 321.304,  
 8 321.305, 321.306, 321.307, 321.308, section 321.309,  
 9 subsection 2, or section 321.311, 321.319, 321.320,  
 10 321.321, 321.322, 321.323, 321.324, 321.324A, 321.327,  
 11 321.329, 321.333, or 321.372, subsection 3, causing  
 12 serious injury to or the death of another person may be  
 13 subject to the following penalties in addition to the  
 14 penalty provided for a scheduled violation in section  
 15 805.8A or any other penalty provided by law:>  
 16 3. By renumbering as necessary.

TOD R. BOWMAN

## S-5061

1 Amend Senate File 2204 as follows:  
 2 1. Page 1, line 13, after <chapter 154B,> by  
 3 inserting <an advanced registered nurse practitioner  
 4 licensed pursuant to chapter 152 or 152E, a dietician  
 5 licensed pursuant to chapter 152A,>  
 6 2. Page 2, line 7, after <psychologist,> by  
 7 inserting <advanced registered nurse practitioner,  
 8 dietician,>  
 9 3. Page 2, line 13, after <psychologist,> by  
 10 inserting <advanced registered nurse practitioner,  
 11 dietician,>  
 12 4. Page 2, line 17, after <psychologist,> by  
 13 inserting <advanced registered nurse practitioner,  
 14 dietician,>



15 5. Page 2, line 29, after <psychologist,> by  
 16 inserting <advanced registered nurse practitioner,  
 17 dietician,>

MATT McCOY

## S-5062

1 Amend Senate File 2267 as follows:  
 2 1. By striking page 1, line 1, through page 14,  
 3 line 20, and inserting:  
 4 <Sec. \_\_. **NEW SECTION. 321.183A Application for**  
 5 **driver's license or nonoperator's identification card —**  
 6 **race and primary language — annual report.**  
 7 1. A person who applies for a driver's license or  
 8 nonoperator's identification card or for renewal of a  
 9 driver's license or nonoperator's identification card,  
 10 shall be requested by the application to specify the  
 11 person's race and primary language.  
 12 2. The department shall file a report with the  
 13 general assembly beginning January 15, 2018, and  
 14 every January 15, thereafter, detailing the number of  
 15 driver's licenses and nonoperator's identification  
 16 cards containing encrypted data specified in subsection  
 17 1.>  
 18 2. Page 14, by striking lines 23 through 25 and  
 19 inserting:  
 20 <**NEW PARAGRAPH. *Od.*** The department shall encrypt  
 21 race and primary language information on a driver's  
 22 license provided pursuant to section 321.183A.>  
 23 3. By striking page 14, line 35, through page 15,  
 24 line 1.  
 25 4. Title page, by striking lines 1 through 6 and  
 26 inserting <An Act relating to encrypting information  
 27 on a driver's license or nonoperator's identification  
 28 card.>  
 29 5. By renumbering as necessary.

JANET PETERSEN

## S-5063

1 Amend Senate File 2272 as follows:  
 2 1. By striking everything after the enacting clause  
 3 and inserting:  
 4 <Section 1. Section 614.1, subsection 9, paragraph  
 5 a, Code 2016, is amended to read as follows:  
 6 a. Except as provided in paragraph "b", those  
 7 founded on injuries to the person or wrongful death  
 8 against any physician and surgeon, osteopathic  
 9 physician and surgeon, dentist, podiatric physician,  
 10 optometrist, pharmacist, chiropractor, physician

11 assistant, or nurse, licensed under chapter 147, or a  
 12 hospital licensed under chapter 135B, arising out of  
 13 patient care, within two years after the date on which  
 14 the claimant knew, or through the use of reasonable  
 15 diligence should have known, or received notice in  
 16 writing of the existence of, the injury or death for  
 17 which damages are sought in the action, whichever of  
 18 the dates occurs first, but in no event shall any  
 19 action be brought more than six years after the date  
 20 on which occurred the act or omission or occurrence  
 21 alleged in the action to have been the cause of the  
 22 injury or death unless a foreign object unintentionally  
 23 left in the body caused the injury or death or as  
 24 provided in paragraph "c."

25 Sec. 2. Section 614.1, subsection 9, Code 2016, is  
 26 amended by adding the following new paragraph:  
 27 NEW PARAGRAPH. c. (1) An action subject to  
 28 paragraph "a" may be brought more than six years after  
 29 the date on which the act, omission, or occurrence  
 30 alleged in the action occurred if either of the  
 31 following are true:

32 (a) The plaintiff alleges in a pretrial motion and  
 33 the judge finds that the undisputed facts demonstrate  
 34 that the plaintiff was induced to refrain from  
 35 bringing a timely action by the defendant's fraud,

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1 misrepresentation, or concealment of material facts or  
 2 that the plaintiff continued to receive medical care  
 3 from the defendant more than six years after the date  
 4 on which the act, omission, or occurrence alleged in  
 5 the action occurred and the substandard care alleged in  
 6 the action continued throughout the period of time the  
 7 defendant provided such care.

8 (b) The plaintiff alleges in a pretrial motion, the  
 9 judge determines that the facts are disputed, and the  
 10 jury finds that the plaintiff was induced to refrain  
 11 from bringing a timely action by the defendant's fraud,  
 12 misrepresentation, or concealment of material facts or  
 13 that the plaintiff continued to receive medical care  
 14 from the defendant more than six years after the date  
 15 on which the act, omission, or occurrence alleged in  
 16 the action occurred and the substandard care alleged in  
 17 the action continued throughout the period of time the  
 18 defendant provided such care.

19 (2) This paragraph "c" does not supersede the  
 20 provisions of chapter 135P.>

21 2. Title page, by striking line 1 and inserting  
 22 <An Act relating to the statute of repose for medical  
 23 malpractice claims.>

**S-5064**

- 1 Amend Senate File 2248 as follows:  
 2 1. Page 9, line 8, by striking <a single> and  
 3 inserting <each>

RANDY FEENSTRA

**S-5065**

- 1 Amend Senate File 2190 as follows:  
 2 1. By striking everything after the enacting clause  
 3 and inserting:  
 4 <DIVISION I  
 5 COUNTY CHEMICAL SUBSTANCE ABUSE MONITORING PILOT  
 6 PROGRAMS  
 7 Section 1. COUNTY CHEMICAL SUBSTANCE ABUSE  
 8 MONITORING PILOT PROGRAMS.  
 9 1. The department of public safety, in  
 10 collaboration with the governor's traffic safety  
 11 bureau, may, in an effort to reduce the number of  
 12 crimes that have a nexus with chemical substance abuse,  
 13 adopt rules providing for the creation and approval of  
 14 an application from a county for the implementation of  
 15 a countywide chemical substance abuse monitoring pilot  
 16 program that is available twenty-four hours per day,  
 17 seven days per week.  
 18 2. A chemical substance abuse monitoring pilot  
 19 program shall do all of the following:  
 20 a. Make the program available to a person who has  
 21 been charged with, pled guilty to, or been convicted  
 22 of a crime that has a nexus with chemical substance  
 23 abuse. The program shall require a participating  
 24 person to abstain from all chemical substances for  
 25 a period of time. A person wishing to participate  
 26 in the program shall apply to the court on a form  
 27 designed by the county, and the court may order the  
 28 person's participation in the program as a component  
 29 or condition of pretrial release or probation. The  
 30 application form shall include an itemization of all  
 31 costs associated with participation in the program.  
 32 This paragraph shall not apply to a person who has  
 33 been charged with, pled guilty to, or been convicted  
 34 of a first offense of operating while intoxicated in  
 35 violation of section 321J.2 where the person's alcohol

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- 1 concentration was lower than .15 and no accident  
 2 resulting in personal injury or property damage  
 3 occurred, unless upon application and a hearing the  
 4 court permits participation in the program by such a

5 person.

6 b. Require the person to be subject to testing  
7 to determine whether a chemical substance is present  
8 in the person's body. The commissioner of public  
9 safety shall approve the use of appropriate devices  
10 and technology for this purpose, and may, in the case  
11 of alcohol concentration testing, designate certain  
12 portable breath test devices for this purpose. Testing  
13 shall occur in the following manner:

14 (1) At least twice per day at a central location.

15 (2) Where testing under subparagraph (1) is  
16 impractical, by continuous transdermal or electronic  
17 monitoring.

18 c. Provide that allegations of a test failure, a  
19 refusal to submit to a test, or a failure to appear for  
20 testing shall be communicated ex parte to a magistrate  
21 as soon as practicable. A magistrate who receives  
22 such a communication may order immediate incarceration  
23 pending a hearing on the allegation but lasting no  
24 longer than twenty-four hours after the issuance of the  
25 order or, if the person failed to appear for testing as  
26 scheduled, the magistrate may issue a warrant for the  
27 arrest of the person for a violation of the terms of  
28 pretrial release or probation, as applicable.

29 d. Require a person participating in the program  
30 to pay program costs, including costs of installation,  
31 monitoring, and deactivation of any testing devices.

32 3. An approved pilot program shall begin on October  
33 1, 2016, or upon the effective date of department  
34 rules, whichever is earlier, and shall be conducted for  
35 a minimum of one year.

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1 4. The department of public safety shall adopt  
2 rules pursuant to chapter 17A to implement this section  
3 including but not limited to provisions relating to  
4 applications for, approval of, costs of, and oversight  
5 of the pilot programs and reporting requirements for  
6 participating counties.

7 5. The department of public safety shall submit a  
8 report on the results of the pilot programs and make  
9 recommendations to the general assembly by December 15,  
10 2017.

11 6. For the purposes of this section, "chemical  
12 substance" means any alcoholic beverage as defined in  
13 section 321J.1 and any controlled substance as defined  
14 in section 124.101.

## 15 DIVISION II

### 16 OPERATING WHILE INTOXICATED

17 Sec. 2. Section 321J.2, subsection 3, paragraph d,  
18 subparagraphs (1) and (2), Code 2016, are amended to

19 read as follows:

20 (1) A defendant whose alcohol concentration is .08  
 21 or more ~~but not more than .10~~ shall not be eligible for  
 22 any temporary restricted license for at least thirty  
 23 days if a test was obtained and an accident resulting  
 24 in personal injury or property damage occurred. ~~The~~  
 25 ~~department shall require the defendant to install an~~  
 26 ~~ignition interlock device of a type approved by the~~  
 27 ~~commissioner of public safety on all vehicles owned~~  
 28 ~~or operated by the defendant if the defendant seeks a~~  
 29 ~~temporary restricted license.~~ There shall be no such  
 30 period of ineligibility if no such accident occurred,  
 31 ~~and the defendant shall not be required to install an~~  
 32 ~~ignition interlock device.~~

33 (2) ~~A defendant whose alcohol concentration is~~  
 34 ~~more than .10 shall not be eligible for any temporary~~  
 35 ~~restricted license for at least thirty days if a test~~

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1 ~~was obtained, and an accident resulting in personal~~  
 2 ~~injury or property damage occurred or the defendant's~~  
 3 ~~alcohol concentration exceeded .15. There shall be~~  
 4 ~~no such period of ineligibility if no such accident~~  
 5 ~~occurred and the defendant's alcohol concentration~~  
 6 ~~did not exceed .15. In either case, where~~ Where a  
 7 defendant's alcohol concentration is more than .10,  
 8 the department shall require the defendant to install  
 9 an ignition interlock device of a type approved by  
 10 the commissioner of public safety on all vehicles owned  
 11 or operated by the defendant if the defendant seeks a  
 12 temporary restricted license.

13 Sec. 3. Section 321J.4, subsections 1, 2, and 3,  
 14 Code 2016, are amended to read as follows:

15 1. If a defendant is convicted of a violation of  
 16 section 321J.2 and the defendant's driver's license or  
 17 nonresident operating privilege has not been revoked  
 18 under section 321J.9 or 321J.12 for the occurrence of  
 19 which the arrest arose, the department shall revoke the  
 20 defendant's driver's license or nonresident operating  
 21 privilege for one hundred eighty days if the defendant  
 22 submitted to chemical testing and has had no previous  
 23 conviction or revocation under this chapter and shall  
 24 revoke the defendant's driver's license or nonresident  
 25 operating privilege for one year if the defendant  
 26 refused to submit to chemical testing and has had no  
 27 previous conviction or revocation under this chapter.  
 28 The defendant shall not be eligible for any temporary  
 29 restricted license for at least ninety days if a test  
 30 was refused under section 321J.9.

31 *a.* A defendant whose alcohol concentration is .08  
 32 or more ~~but not more than .10~~ shall not be eligible for

33 any temporary restricted license for at least thirty  
 34 days if a test was obtained and an accident resulting  
 35 in personal injury or property damage occurred. ~~The~~

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1 ~~department shall require the defendant to install an~~  
 2 ~~ignition interlock device of a type approved by the~~  
 3 ~~commissioner of public safety on all vehicles owned~~  
 4 ~~or operated by the defendant if the defendant seeks a~~  
 5 ~~temporary restricted license. There shall be no such~~  
 6 ~~period of ineligibility if no such accident occurred,~~  
 7 ~~and the defendant shall not be required to install an~~  
 8 ~~ignition interlock device.~~

9 ~~b. A defendant whose alcohol concentration is~~  
 10 ~~more than .10 shall not be eligible for any temporary~~  
 11 ~~restricted license for at least thirty days if a test~~  
 12 ~~was obtained and an accident resulting in personal~~  
 13 ~~injury or property damage occurred or the defendant's~~  
 14 ~~alcohol concentration exceeded .15. There shall be~~  
 15 ~~no such period of ineligibility if no such accident~~  
 16 ~~occurred and the defendant's alcohol concentration~~  
 17 ~~did not exceed .15. In either case, where Where a~~  
 18 ~~defendant's alcohol concentration is more than .10,~~  
 19 ~~the department shall require the defendant to install~~  
 20 ~~an ignition interlock device of a type approved by the~~  
 21 ~~commissioner of public safety on all vehicles owned~~  
 22 ~~or operated by the defendant if the defendant seeks a~~  
 23 ~~temporary restricted license.~~

24 ~~c. If the defendant is under the age of twenty-one,~~  
 25 ~~the defendant shall not be eligible for a temporary~~  
 26 ~~restricted license for at least sixty days after the~~  
 27 ~~effective date of revocation.~~

28 ~~2. If a defendant is convicted of a violation~~  
 29 ~~of section 321J.2, and the defendant's driver's~~  
 30 ~~license or nonresident operating privilege has not~~  
 31 ~~already been revoked under section 321J.9 or 321J.12~~  
 32 ~~for the occurrence from which the arrest arose, the~~  
 33 ~~department shall revoke the defendant's driver's~~  
 34 ~~license or nonresident operating privilege for one~~  
 35 ~~year if the defendant submitted to chemical testing~~

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1 and has had a previous conviction or revocation under  
 2 this chapter and shall revoke the defendant's driver's  
 3 license or nonresident operating privilege for two  
 4 years if the defendant refused to submit to chemical  
 5 testing and has had a previous revocation under this  
 6 chapter. The defendant shall not be eligible for any  
 7 temporary restricted license for forty-five days after  
 8 the effective date of revocation if the defendant

9 submitted to chemical testing and an accident resulting  
10 in personal injury or property damage occurred and  
11 shall not be eligible for any temporary restricted  
12 license for ninety days after the effective date of  
13 revocation if the defendant refused chemical testing.  
14 The temporary restricted license shall be issued in  
15 accordance with section 321J.20, subsection 2. The  
16 department shall require the defendant to install an  
17 ignition interlock device of a type approved by the  
18 commissioner of public safety on all vehicles owned  
19 or operated by the defendant if the defendant seeks a  
20 temporary restricted license at the end of the minimum  
21 period of ineligibility. A temporary restricted  
22 license shall not be granted by the department until  
23 the defendant installs the ignition interlock device.  
24 3. If the court defers judgment pursuant to section  
25 907.3 for a violation of section 321J.2, and if the  
26 defendant's driver's license or nonresident operating  
27 privilege has not been revoked under section 321J.9  
28 or 321J.12, or has not otherwise been revoked for the  
29 occurrence from which the arrest arose, the department  
30 shall revoke the defendant's driver's license or  
31 nonresident operating privilege for a period of not  
32 less than thirty days nor more than ninety days. The  
33 defendant shall not be eligible for any temporary  
34 restricted license for at least ninety days if a test  
35 was refused.

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1 a. A defendant whose alcohol concentration is .08  
2 or more ~~but not more than .10~~ shall not be eligible for  
3 any temporary restricted license for at least thirty  
4 days if a test was obtained and an accident resulting  
5 in personal injury or property damage occurred. ~~The~~  
6 ~~department shall require the defendant to install an~~  
7 ~~ignition interlock device of a type approved by the~~  
8 ~~commissioner of public safety on all vehicles owned~~  
9 ~~or operated by the defendant if the defendant seeks a~~  
10 ~~temporary restricted license.~~ There shall be no such  
11 period of ineligibility if no such accident occurred,  
12 ~~and the defendant shall not be required to install an~~  
13 ~~ignition interlock device.~~  
14 b. A defendant whose alcohol concentration is  
15 ~~more than .10~~ shall not be eligible for any temporary  
16 ~~restricted license for at least thirty days if a test~~  
17 ~~was obtained and an accident resulting in personal~~  
18 ~~injury or property damage occurred or the defendant's~~  
19 ~~alcohol concentration exceeded .15.~~ There shall be  
20 ~~no such period of ineligibility if no such accident~~  
21 ~~occurred and the defendant's alcohol concentration~~  
22 ~~did not exceed .15.~~ In either case, where Where a

23 defendant's alcohol concentration is more than .10,  
24 the department shall require the defendant to install  
25 an ignition interlock device of a type approved by the  
26 commissioner of public safety on all vehicles owned  
27 or operated by the defendant if the defendant seeks a  
28 temporary restricted license.

29 c. If the defendant is under the age of twenty-one,  
30 the defendant shall not be eligible for a temporary  
31 restricted license for at least sixty days after the  
32 effective date of the revocation.

33 Sec. 4. Section 321J.12, subsections 1 and 2, Code  
34 2016, are amended to read as follows:

35 1. Upon certification, subject to penalty for

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1 perjury, by the peace officer that there existed  
2 reasonable grounds to believe that the person had been  
3 operating a motor vehicle in violation of section  
4 321J.2, that there existed one or more of the necessary  
5 conditions for chemical testing described in section  
6 321J.6, subsection 1, and that the person submitted to  
7 chemical testing and the test results indicated the  
8 presence of a controlled substance or other drug, or  
9 an alcohol concentration equal to or in excess of the  
10 level prohibited by section 321J.2, or a combination  
11 of alcohol and another drug in violation of section  
12 321J.2, the department shall revoke the person's  
13 driver's license or nonresident operating privilege for  
14 the following periods of time:

15 a. One hundred eighty days if the person has had no  
16 revocation under this chapter.

17 b. One year if the person has had ~~a~~ one previous  
18 revocation under this chapter.

19 c. Two years if the person has had two or more  
20 previous revocations under this chapter.

21 2. a. A person whose driver's license or  
22 nonresident operating privileges have been revoked  
23 under subsection 1, paragraph "a", whose alcohol  
24 concentration is .08 or more ~~but not more than .10~~  
25 shall not be eligible for any temporary restricted  
26 license for at least thirty days after the effective  
27 date of the revocation if a test was obtained and an  
28 accident resulting in personal injury or property  
29 damage occurred. ~~The department shall require the~~  
30 ~~defendant to install an ignition interlock device of~~  
31 ~~a type approved by the commissioner of public safety~~  
32 ~~on all vehicles owned or operated by the defendant if~~  
33 ~~the defendant seeks a temporary license. There shall~~  
34 ~~be no such period of ineligibility if no such accident~~  
35 ~~occurred, and the defendant shall not be required to~~



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1 install an ignition interlock device.

2 ~~b. A defendant whose alcohol concentration is~~  
3 ~~more than .10 shall not be eligible for any temporary~~  
4 ~~restricted license for at least thirty days if a test~~  
5 ~~was obtained and an accident resulting in personal~~  
6 ~~injury or property damage occurred or the defendant's~~  
7 ~~alcohol concentration exceeded .15. There shall be~~  
8 ~~no such period of ineligibility if no such accident~~  
9 ~~occurred and the defendant's alcohol concentration~~  
10 ~~did not exceed .15. In either case, where~~ Where a  
11 defendant's alcohol concentration is more than .10,  
12 the department shall require the defendant to install  
13 an ignition interlock device of a type approved by the  
14 commissioner of public safety on all vehicles owned  
15 or operated by the defendant if the defendant seeks a  
16 temporary restricted license.

17 c. If the person is under the age of twenty-one,  
18 the person shall not be eligible for a temporary  
19 restricted license for at least sixty days after the  
20 effective date of the revocation.

21 d. A person whose license or privileges have been  
22 revoked under subsection 1, paragraph "b", for one year  
23 shall not be eligible for any temporary restricted  
24 license for forty-five days after the effective date  
25 of the revocation, ~~and if a test was obtained and an~~  
26 ~~accident resulting in personal injury or property~~  
27 ~~damage occurred. If a person's license or privileges~~  
28 ~~have been revoked under subsection 1, paragraph "b",~~  
29 the department shall require the person to install an  
30 ignition interlock device of a type approved by the  
31 commissioner of public safety on all vehicles owned  
32 or operated by the defendant if the defendant seeks a  
33 temporary restricted license at the end of the minimum  
34 period of ineligibility. The temporary restricted  
35 license shall be issued in accordance with section

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1 321J.20, subsection 2. A temporary restricted license  
2 shall not be granted by the department until the  
3 defendant installs the ignition interlock device.

4 e. A person whose license or privileges have  
5 been revoked under subsection 1, paragraph "c", for  
6 two years shall not be eligible for any temporary  
7 restricted license for forty-five days after the  
8 effective date of the revocation. The department shall  
9 require the person to install an ignition interlock  
10 device of a type approved by the commissioner of  
11 public safety on all vehicles owned or operated by  
12 the defendant if the defendant seeks a temporary

13 restricted license at the end of the minimum period  
14 of ineligibility. The temporary restricted license  
15 shall be issued in accordance with section 321J.20,  
16 subsection 2. A temporary restricted license shall  
17 not be granted by the department until the defendant  
18 installs the ignition interlock device.

19 Sec. 5. Section 321J.17, subsection 3, Code 2016,  
20 is amended to read as follows:

21 3. The department shall also require certification  
22 of installation of an ignition interlock device of a  
23 type approved by the commissioner of public safety on  
24 all motor vehicles owned or operated by any person  
25 seeking reinstatement following a second or subsequent  
26 revocation under section 321J.4, 321J.9, or 321J.12.  
27 The requirement for the installation of an approved  
28 ignition interlock device shall be for one year from  
29 the date of reinstatement unless a longer time period  
30 is required by statute. The one-year period a person  
31 is required to maintain an ignition interlock device  
32 under this subsection shall be reduced by any period  
33 of time the person held a valid temporary restricted  
34 license during the period of the revocation for the  
35 occurrence from which the arrest arose, including

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1 any period in which the person participated in a 24-7  
2 sobriety program, as defined in section 321J.20. The  
3 person shall not operate any motor vehicle which is not  
4 equipped with an approved ignition interlock device  
5 during the period in which an ignition interlock device  
6 must be maintained, and the department shall not grant  
7 reinstatement unless the person certifies installation  
8 of an ignition interlock device as required in this  
9 subsection.

10 Sec. 6. Section 321J.20, subsection 1, paragraph a,  
11 unnumbered paragraph 1, Code 2016, is amended to read  
12 as follows:

13 The department may, on application, issue a  
14 temporary restricted license to a person whose  
15 noncommercial driver's license is revoked under this  
16 chapter allowing the person to drive to and from the  
17 person's home and specified places at specified times  
18 which can be verified by the department and which  
19 are required by the person's full-time or part-time  
20 employment, continuing health care or the continuing  
21 health care of another who is dependent upon the  
22 person, continuing education while enrolled in an  
23 educational institution on a part-time or full-time  
24 basis and while pursuing a course of study leading to a  
25 diploma, degree, or other certification of successful  
26 educational completion, substance abuse treatment,

27 court-ordered community service responsibilities, ~~and~~  
28 appointments with the person's parole or probation  
29 officer, and participation in a 24-7 sobriety program.  
30 if the person's driver's license has not been revoked  
31 previously under section 321J.4, 321J.9, or 321J.12 and  
32 if any of the following apply:  
33 Sec. 7. Section 321J.20, subsection 1, paragraph b,  
34 Code 2016, is amended to read as follows:  
35 b. A temporary restricted license may be issued

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1 under this subsection if the person's noncommercial  
2 driver's license is revoked for two years under section  
3 321J.4, subsection 2, or section 321J.9, subsection 1,  
4 paragraph "b", and the ~~first three hundred sixty five~~  
5 days of the revocation have minimum period of  
6 ineligibility for issuance of a temporary restricted  
7 license has expired.  
8 Sec. 8. Section 321J.20, subsection 2, paragraph a,  
9 Code 2016, is amended to read as follows:  
10 a. Notwithstanding section 321.560, the department  
11 may, on application, and upon the expiration of  
12 the minimum period of ineligibility for a temporary  
13 restricted license provided for under section  
14 321.560, 321J.4, 321J.9, or 321J.12, issue a temporary  
15 restricted license to a person whose noncommercial  
16 driver's license has either been revoked under this  
17 chapter, or revoked or suspended under chapter 321  
18 solely for violations of this chapter, or who has been  
19 determined to be a habitual offender under chapter  
20 321 based solely on violations of this chapter or on  
21 violations listed in section 321.560, subsection 1,  
22 paragraph "b", and who is not eligible for a temporary  
23 restricted license under subsection 1. However, the  
24 department may not issue a temporary restricted license  
25 under this subsection for a violation of section  
26 321J.2A or to a person under the age of twenty-one  
27 whose license is revoked under section 321J.4, 321J.9,  
28 or 321J.12. A temporary restricted license issued  
29 under this subsection may allow the person to drive  
30 to and from the person's home and specified places at  
31 specified times which can be verified by the department  
32 and which are required by the person's full-time or  
33 part-time employment; continuing education while  
34 enrolled in an educational institution on a part-time  
35 or full-time basis and while pursuing a course of study

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1 leading to a diploma, degree, or other certification of  
2 successful educational completion; ~~or~~ substance abuse  
3 treatment; or participation in a 24-7 sobriety program.

4 Sec. 9. Section 321J.20, subsection 3, Code 2016,  
5 is amended to read as follows:

6 3. If a person required to install an ignition  
7 interlock device or participate in a 24-7 sobriety  
8 program operates a motor vehicle which does not have  
9 an approved ignition interlock device or while not  
10 in compliance with the 24-7 sobriety program, or if  
11 the person tampers with or circumvents an ignition  
12 interlock device, in addition to other penalties  
13 provided, the person's temporary restricted license  
14 shall be revoked.

15 Sec. 10. Section 321J.20, Code 2016, is amended by  
16 adding the following new subsection:

17 NEW SUBSECTION. 10. Notwithstanding any other  
18 provision of law to the contrary, in any circumstance  
19 in which this chapter requires the installation of an  
20 ignition interlock device in all vehicles owned or  
21 operated by a person as a condition of the person's  
22 license or privilege to operate noncommercial motor  
23 vehicles, the department may accept, in lieu of  
24 installation of an ignition interlock device, a  
25 certification of the person's participation in and  
26 compliance with a 24-7 sobriety program. As used in  
27 this section, "*24-7 sobriety program*" means as defined  
28 in 23 U.S.C. §164(a), as amended by the federal Fixing  
29 America's Surface Transportation Act, Pub. L. No.  
30 114-94, §1414. The department, in consultation with  
31 the department of public safety, may adopt rules for  
32 issuing and accepting a certification of participation  
33 in and compliance with a 24-7 sobriety program. This  
34 subsection shall be construed and implemented to comply  
35 with 23 U.S.C. §164(a), as amended by the federal

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1 Fixing America's Surface Transportation Act, Pub.  
2 L. No. 114-94, §1414, and shall not apply if such  
3 application results in a finding of noncompliance  
4 with 23 U.S.C. §164 that results or will result in  
5 a reservation or transfer of funds pursuant to 23  
6 U.S.C. §164(b). This subsection shall not authorize  
7 the operation of a motor vehicle for any purpose not  
8 otherwise authorized by this chapter.>

9 2. Title page, by striking lines 1 and  
10 2 and inserting <An Act providing for the  
11 establishment of county chemical substance abuse  
12 monitoring pilot programs and modifying temporary  
13 restricted license eligibility requirements for  
14 operating-while-intoxicated offenders.>

STEVEN J. SODDERS

**S-5066**

1 Amend Senate File 2267 as follows:

2 1. By striking page 1, line 1, through page 14,

3 line 20, and inserting:

4 <Sec.     . **NEW SECTION. 321.183A Application for**  
5 **driver's license or nonoperator's identification card —**  
6 **race, ethnicity, and primary language — annual report.**

7 1. A person who applies for a driver's license or  
8 nonoperator's identification card or for renewal of a  
9 driver's license or nonoperator's identification card,  
10 shall be requested by the application to specify the  
11 person's race, ethnicity, and primary language.

12 2. The department shall file a report with the  
13 general assembly beginning January 15, 2018, and  
14 every January 15, thereafter, detailing the number of  
15 driver's licenses and nonoperator's identification  
16 cards containing encrypted data specified in subsection  
17 1.>

18 2. Page 14, by striking lines 23 through 25 and  
19 inserting:

20 <NEW PARAGRAPH. Od. The department shall encrypt  
21 race, ethnicity, and primary language information  
22 on a driver's license provided pursuant to section  
23 321.183A.>

24 3. By striking page 14, line 35, through page 15,  
25 line 1.

26 4. Title page, by striking lines 1 through 6 and  
27 inserting <An Act relating to encrypting information  
28 on a driver's license or nonoperator's identification  
29 card.>

30 5. By renumbering as necessary.

JANET PETERSEN

**S-5067**

1 Amend Senate File 2301 as follows:

2 1. Page 1, line 1, by striking <e and g> and

3 inserting <e, g, and i>

4 2. Page 1, by striking lines 9 through 17 and

5 inserting:

6 <i. *“Participant”* means any of the following  
7 persons that have entered into a participation  
8 agreement under this chapter for the advance payment of  
9 higher education costs on behalf of a beneficiary:

10 (1) An individual.

11 (2) An individual's legal representative.

12 (3) A trust.

13 (4) An estate.

14 (5) An organization described in section 501(c)(3)

15 of the Internal Revenue Code and exempt from taxation

16 under section 501(a) of the Internal Revenue Code,  
 17 provided the organization does not allow any person  
 18 making a contribution to the organization to designate  
 19 that any part of the contribution be used for the  
 20 direct benefit of any dependent of the contributor or  
 21 any other beneficiary designated by the contributor.>

JANET PETERSEN

### S-5068

1 Amend House File 2266, as passed by the House, as  
 2 follows:  
 3 1. Page 1, line 16, by striking <relative> and  
 4 inserting <person authorized to control the decedent's  
 5 remains under section 144C.5>  
 6 2. Page 1, line 30, by striking <relative> and  
 7 inserting <person authorized to control the decedent's  
 8 remains under section 144C.5>

COMMITTEE ON VETERANS AFFAIRS  
 WALLY E. HORN, Chair

### S-5069

1 Amend Senate File 2113 as follows:  
 2 1. Page 3, line 27, by striking <year-round> and  
 3 inserting <between May 20 and July 6 and between  
 4 December 10 and January 3 each year, all dates  
 5 inclusive>  
 6 2. Page 3, line 29, by striking <and July 11 each  
 7 year> and inserting <and July 6 each year, both dates  
 8 inclusive>  
 9 3. Page 6, line 33, by striking <a.>  
 10 4. Page 6, line 34, by striking <authorize> and  
 11 inserting <prohibit or limit>  
 12 5. Page 7, line 1, by striking <not>  
 13 6. Page 7, line 3, by striking <not>  
 14 7. Page 7, by striking lines 5 through 11.  
 15 8. Page 7, line 18, by striking <a.>  
 16 9. Page 7, line 19, by striking <authorize> and  
 17 inserting <prohibit or limit>  
 18 10. Page 7, by striking lines 21 through 30.  
 19 11. Page 9, line 18, by striking <not authorized>  
 20 and inserting <prohibited or limited>  
 21 12. Page 10, line 3, by striking <not authorized>  
 22 and inserting <prohibited or limited>  
 23 13. Page 10, by striking lines 7 through 12.  
 24 14. Page 10, line 13, by striking <(3)> and  
 25 inserting <(2)>  
 26 15. Page 10, by striking lines 19 through 31 and  
 27 inserting:

28 <a. A person shall not use or explode consumer  
 29 fireworks on days other than June 24 through July 6 and  
 30 December 24 through January 3 of each year, all dates  
 31 inclusive.  
 32 b. A person shall not use or explode consumer  
 33 fireworks at times other than between the hours of 9:00  
 34 a.m. and 10:00 p.m., except that on the following dates  
 35 consumer fireworks shall not be used at times other

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1 than between the hours of 9:00 a.m. and 12:30 a.m. on  
 2 the immediately following day:  
 3 (1) July 4 and the Saturdays and Sundays  
 4 immediately preceding and following July 4.  
 5 (2) December 31 and the Saturdays and Sundays  
 6 immediately preceding and following December 31.>  
 7 16. Page 10, line 32, by striking <b.> and  
 8 inserting <c.>  
 9 17. Page 11, line 1, by striking <c.> and inserting  
 10 <d.>

JEFF DANIELSON  
 THOMAS G. COURTNEY  
 JAKE CHAPMAN  
 WILLIAM A. DOTZLER, JR.  
 RICK BERTRAND  
 BRIAN SCHOENJAHN  
 RICH TAYLOR  
 WALLY E. HORN  
 MICHAEL BREITBACH  
 JACK WHITVER  
 TIM KRAAYENBRINK  
 BILL ANDERSON

## S-5070

1 Amend Senate File 2278 as follows:  
 2 1. Page 2, by striking lines 24 through 30 and  
 3 inserting:  
 4 <4. a. A member who is a producer or livestock  
 5 market representative described in subsection 1,  
 6 paragraphs "a" through "c", shall serve a three-year  
 7 term. The member shall not serve more than two  
 8 consecutive full terms.  
 9 b. Except for ~~an~~ ex officio ~~members~~ member,  
 10 ~~vacancies~~ a vacancy in the ~~council~~ executive committee  
 11 resulting from death, inability or refusal to serve,  
 12 or failure to meet the qualifications of this chapter  
 13 shall be filled by the ~~council~~ executive committee.  
 14 If the ~~council~~ executive committee fails to fill  
 15 a vacancy, the secretary shall fill it. ~~Vacancy~~

16 ~~appointments~~ A vacancy appointment shall be filled only  
 17 for the remainder of the unexpired term.>

18 2. Page 4, line 28, after <assessment> by inserting  
 19 <~~— rate~~>

20 3. Page 5, after line 8 by inserting:  
 21 <3. The rate of the recommended state assessment  
 22 shall be the same as the rate that was last in  
 23 effect under section 181.19 immediately prior to the  
 24 suspension of the state assessment.>

25 4. By striking page 5, line 9, through page 6, line  
 26 5, and inserting:

27 <Sec. \_\_. Section 181.8, Code 2016, is amended to  
 28 read as follows:

29 **181.8 Entering Executive committee — entering**  
 30 **premises — examining records.**

31 The ~~council~~ executive committee may authorize  
 32 its agents to enter at a reasonable time upon the  
 33 premises of any purchaser charged by this chapter with  
 34 remitting the state assessment to the ~~council~~ executive  
 35 committee, and to examine records and other instruments

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1 relating to the collection of the state assessment.  
 2 However, the ~~council~~ executive committee must first  
 3 have reasonable grounds to believe that the state  
 4 assessment has not been remitted or fully accounted  
 5 for.

6 ~~The council may enter into arrangements with persons~~  
 7 ~~purchasing cattle outside of this state for remitting~~  
 8 ~~the state assessment by such purchasers.~~

9 Sec. \_\_. Section 181.11, Code 2016, is amended to  
 10 read as follows:

11 **181.11 Collection of state assessment.**

12 1. A state assessment imposed as provided in  
 13 this chapter shall be levied and collected from the  
 14 purchaser on each sale of cattle at a rate provided in  
 15 this chapter. The state assessment shall be imposed  
 16 on any person selling cattle and shall be deducted by  
 17 the purchaser from the price paid to the seller. The  
 18 purchaser, at the time of the sale, shall make and  
 19 deliver to the seller a separate invoice for each sale  
 20 showing the names and addresses of the seller and the  
 21 purchaser, the number of cattle sold, and the date of  
 22 sale. The purchaser shall forward the state assessment  
 23 to the ~~council~~ executive committee at a time prescribed  
 24 by the ~~council~~ executive committee, but not later than  
 25 the last day of the month following the end of the  
 26 prior reporting period in which the cattle are sold.

27 2. The executive committee may enter into  
 28 arrangements with persons purchasing cattle outside of  
 29 this state for remitting the state assessment by such



- 30 purchasers.>  
 31 5. Page 6, line 11, by striking <sixty> and  
 32 inserting <~~sixty~~ ninety>  
 33 6. Page 8, line 29, by striking <fifty cents> and  
 34 inserting <~~fifty cents~~ one dollar>  
 35 7. Page 9, line 5, by striking <of fifty cents> and

Page 3

- 1 inserting <~~of fifty cents~~ not to exceed one dollar>  
 2 8. Page 9, after line 14 by inserting:  
 3 <Sec. \_\_. REPEAL. 2004 Iowa Acts, chapter 1037,  
 4 section 17, is repealed.>  
 5 9. Page 9, by striking lines 26 and 27 and  
 6 inserting <establish terms for any number of the five  
 7 members first elected or reelected by the Iowa beef  
 8 cattle producers association under that section on or  
 9 after the effective date of this Act to ensure elected  
 10 members serve staggered terms. The executive committee  
 11 may also establish initial terms for the two new  
 12 members appointed by the Iowa cattlemen's association  
 13 under that section as amended by this Act to ensure  
 14 appointed>  
 15 10. Page 10, after line 6 by inserting:  
 16 <Sec. \_\_. EFFECTIVE UPON ENACTMENT. This Act,  
 17 being deemed of immediate importance, takes effect upon  
 18 enactment.>  
 19 11. Title page, by striking lines 1 and 2 and  
 20 inserting <An Act providing for certain excise taxes  
 21 imposed on the sale of cattle and including effective  
 22 date provisions.>  
 23 12. By renumbering as necessary.

CHRIS BRASE

## S-5071

- 1 Amend the amendment, S-5066, to Senate File 2267 as  
 2 follows:  
 3 1. Page 1, line 11, after <language.> by inserting  
 4 <The application shall include the choice of American  
 5 as an ethnicity.>

JULIAN B. GARRETT

## S-5072

- 1 Amend House File 2363, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 1, line 2, by striking <subsections> and  
 4 inserting <subsection>  
 5 2. Page 1, by striking lines 9 through 32.

- 6 3. Title page, by striking lines 1 through 3 and  
 7 inserting <An Act relating to member attendance at a  
 8 closed session of a governmental body.>

COMMITTEE ON STATE GOVERNMENT  
 JEFF DANIELSON, Chair

**S-5073**

- 1 Amend House File 588, as passed by the House, as  
 2 follows:  
 3 1. Page 1, line 2, by striking <2015> and inserting  
 4 <2016>  
 5 2. Page 1, line 32, by striking <2015> and  
 6 inserting <2016>  
 7 3. Page 2, line 5, by striking <2016> and inserting  
 8 <2017>  
 9 4. Page 2, line 8, by striking <2016> and inserting  
 10 <2017>

COMMITTEE ON TRANSPORTATION  
 TOD R. BOWMAN, Chair

**S-5074**

- 1 Amend House File 617, as passed by the House, as  
 2 follows:  
 3 1. Page 1, line 1, by striking <2015> and inserting  
 4 <2016>  
 5 2. Page 1, lines 31 and 32, by striking <must have  
 6 at least two hundred members in this state and>  
 7 3. Page 3, line 14, by striking <2015> and  
 8 inserting <2016>  
 9 4. Page 3, after line 26 by inserting:  
 10 <Sec. \_\_\_\_\_. CONSIDERATION OF APPLICATIONS  
 11 FOR AND ISSUANCE OF SPECIAL REGISTRATION PLATES  
 12 WITH A PROCESSED EMBLEM. The state department  
 13 of transportation may continue to issue special  
 14 registration plates with a processed emblem approved  
 15 by the department before January 1, 2017, pursuant to  
 16 section 321.34, subsection 13, Code 2016, and may grant  
 17 an application for and issue a new special registration  
 18 plate with a processed emblem if the application for  
 19 the plate is submitted to the department before January  
 20 1, 2017, but shall not accept, consider, or grant an  
 21 application for a new special registration plate with a  
 22 processed emblem submitted pursuant to section 321.34,  
 23 subsection 13, Code 2016, on or after January 1, 2017.>  
 24 5. Page 3, line 28, by striking <2016> and  
 25 inserting <2017>  
 26 6. By renumbering as necessary.

COMMITTEE ON TRANSPORTATION  
 TOD R. BOWMAN, Chair

**S-5075**

- 1 Amend House File 2345, as passed by the House, as  
 2 follows:
- 3 1. Page 1, line 3, by striking <department> and  
 4 inserting <department, in collaboration with the Iowa  
 5 county engineers association,>
- 6 2. Page 1, line 4, after <received> by inserting  
 7 <from counties>
- 8 3. Page 1, line 4, by striking <section 309.44> and  
 9 inserting <sections 309.22 and 309.22A>
- 10 4. Page 1, line 8, after <agency.> by inserting  
 11 <This section is repealed June 30, 2019.>
- 12 5. Page 1, line 9, by striking <309.44> and  
 13 inserting <309.22A>
- 14 6. Page 1, line 11, by striking <Between December 1  
 15 and December 15> and inserting:  
 16 <1. On or before September 15>
- 17 7. Page 1, line 13, by striking <department> and  
 18 inserting <department, as part of the annual report  
 19 required under section 309.22,>
- 20 10. Page 1, line 17, by striking <1.> and inserting  
 21 <a.>
- 22 11. Page 1, line 20, by striking <2.> and inserting  
 23 <b.>
- 24 12. Page 1, line 26, by striking <3.> and inserting  
 25 <c.>
- 26 13. Page 1, line 30, by striking <4.> and inserting  
 27 <d.>
- 28 14. Page 1, after line 32 by inserting:  
 29 <2. This section is repealed June 30, 2019.>
- 30 8. Title page, line 1, by striking <requiring> and  
 31 inserting <relating to>
- 32 9. Title page, line 2, by striking <transportation>  
 33 and inserting <transportation, including reports>
- 34 15. By renumbering, redesignating, and correcting  
 35 internal references as necessary.

COMMITTEE ON TRANSPORTATION  
 TOD R. BOWMAN, Chair

**S-5076**

- 1 Amend Senate File 2301 as follows:
- 2 1. Page 1, line 1, by striking <e and g> and  
 3 inserting <e, g, and i>
- 4 2. Page 1, by striking lines 9 through 17 and  
 5 inserting:  
 6 <i. "Participant" means any of the following  
 7 persons that have entered into a participation  
 8 agreement under this chapter for the advance payment of  
 9 higher education costs on behalf of a beneficiary:

- 10 (1) An individual.  
 11 (2) An individual's legal representative.  
 12 (3) A trust.  
 13 (4) An estate.  
 14 (5) An organization described in section 501(c)(3)  
 15 of the Internal Revenue Code and exempt from taxation  
 16 under section 501(a) of the Internal Revenue Code,  
 17 provided the organization does not allow any person  
 18 making a contribution to the organization to designate  
 19 that any part of the contribution be used for the  
 20 direct benefit of any dependent of the contributor  
 21 or any other single beneficiary designated by the  
 22 contributor.>

JANET PETERSEN

**S-5077**

- 1 Amend House File 2324, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 1, line 3, by striking <science> and  
 4 inserting <education>  
 5 2. Page 1, line 4, by striking <the> and inserting  
 6 <a>  
 7 3. Page 1, line 6, by striking <science> and  
 8 inserting <applications and programming>  
 9 4. Page 1, lines 7 and 8, by striking <2018,  
 10 pursuant to section 256.11, subsection 5, paragraph  
 11 "k"> and inserting <2018>  
 12 5. Page 1, line 12, by striking <science> and  
 13 inserting <applications and programming>  
 14 6. Page 1, line 16, by striking <science> and  
 15 inserting <applications and programming>  
 16 7. Page 1, line 19, by striking <science> and  
 17 inserting <applications and programming>  
 18 8. Page 1, line 22, by striking <science> and  
 19 inserting <applications and programming>  
 20 9. Page 1, line 26, by striking <kindergarten> and  
 21 inserting <grade seven>  
 22 10. Page 1, line 28, by striking <science> and  
 23 inserting <applications and programming>  
 24 11. Page 1, line 31, by striking <2018, pursuant to  
 25 section 256.11, subsection 4> and inserting <2018>  
 26 12. Page 1, line 34, by striking <science> and  
 27 inserting <applications and programming>  
 28 13. Page 2, line 2, by striking <science> and  
 29 inserting <applications and programming>  
 30 14. Page 2, line 8, by striking <science> and  
 31 inserting <applications and programming>  
 32 15. Page 2, line 10, by striking <science> and

33 inserting <applications and programming>  
 34 16. Title page, line 1, by striking <science> and  
 35 inserting <education>

COMMITTEE ON EDUCATION  
 HERMAN C. QUIRMBACH, Chair

### S-5078

1 Amend House File 2341, as passed by the House, as  
 2 follows:  
 3 1. Page 1, by striking lines 5 through 11 and  
 4 inserting <operations or otherwise establish a presence  
 5 in this state if, with the exception of a school that  
 6 qualifies for an>  
 7 2. Page 1, by striking lines 15 through 19.  
 8 3. Page 1, line 20, by striking <3.> and inserting  
 9 <2.>  
 10 4. Page 1, after line 24 by inserting:  
 11 <3. This section shall not apply to a foreign  
 12 medical school that is accredited by a foreign entity  
 13 recognized by the national committee on foreign medical  
 14 education and accreditation.>  
 15 5. By renumbering as necessary.

COMMITTEE ON EDUCATION  
 HERMAN C. QUIRMBACH, Chair

### S-5079

1 Amend House File 2370, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 1, line 12, by striking <must<sub>2</sub>> and  
 4 inserting <must>  
 5 2. Page 1, by striking lines 13 and 14 and  
 6 inserting <apply for approval of the exemption>  
 7 3. Page 1, line 16, after <exemption> by inserting  
 8 <and meets consumer protection standards established by  
 9 the commission>  
 10 4. Page 1, line 20, after <may> by inserting <for  
 11 good cause>

COMMITTEE ON EDUCATION  
 HERMAN C. QUIRMBACH, Chair

### S-5080

1 Amend House File 2421, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 1, before line 1 by inserting:  
 4 <DIVISION I  
 5 COACHING AUTHORIZATION REQUIREMENT>  
 6 2. Page 1, line 9, after <requirements> by  
 7 inserting <of this division>

8 3. Page 1, after line 9 by inserting:

9 <DIVISION II  
10 EXTRACURRICULAR INTERSCHOLASTIC ATHLETIC CONTESTS —  
11 HEALTH CARE PROFESSIONALS

12 Sec. \_\_\_\_ Section 280.13C, Code 2016, is amended by  
13 adding the following new subsection:

14 NEW SUBSECTION. 3A. a. The home team in an  
15 extracurricular interscholastic contest in which high  
16 school athletic teams participate in a collision sport  
17 shall ensure that a contest health care professional  
18 is present and available to assess athletic injuries  
19 at such contest.

20 b. If an athlete who is a member of a visiting  
21 team in an extracurricular interscholastic contest at  
22 which a contest health care professional is present  
23 and available to assess athletic injuries as provided  
24 in this section shows signs, symptoms, or behaviors  
25 consistent with a concussion or brain injury, the  
26 contest health care professional shall notify the  
27 visiting team’s athletic director within forty-eight  
28 hours after the contest occurs.

29 c. The department of education, the Iowa high  
30 school athletic association, and the Iowa girls  
31 high school athletic union shall establish a process  
32 whereby an extracurricular interscholastic athletic  
33 contest can still take place when a contest health  
34 care professional who was scheduled to be present and  
35 available as provided in this section is not able to be

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1 present and available due to unforeseen circumstances.

2 Sec. \_\_\_\_ Section 280.13C, subsection 4, Code 2016,  
3 is amended by adding the following new paragraphs:

4 NEW PARAGRAPH. 0a. “Collision sport” means  
5 football, soccer, or wrestling.

6 NEW PARAGRAPH. 00a. “Contest health care  
7 professional” means a licensed health care provider as  
8 defined in this subsection or an emergency medical care  
9 provider as defined in section 147A.1.

10 Sec. \_\_\_\_ IMPLEMENTATION OF DIVISION II OF THIS  
11 ACT. Section 25B.2, subsection 3, shall not apply to  
12 this division of this Act.>

13 4. Title page, lines 2 and 3, by striking <certain  
14 emergency medical procedures training requirements> and  
15 inserting <requirements relating to the presence of  
16 health care professionals at certain extracurricular  
17 interscholastic athletic contests>

18 5. By renumbering as necessary.

**S-5081**

1 Amend House File 2373, as passed by the House, as  
2 follows:

3 1. Page 8, by striking lines 20 through 27 and  
4 inserting:

5 <f. If the foreign limited liability company is  
6 member-managed, the name and street and mailing address  
7 of at least one member; or if the foreign limited  
8 liability company is manager-managed, the name and  
9 street and mailing address of at least one manager.>

COMMITTEE ON JUDICIARY  
STEVEN J. SODDERS, Chair

**S-5082**

1 Amend House File 2064, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 2, line 1, after <record> by inserting <. a  
4 validated risk assessment.>

5 2. Page 2, by striking lines 4 through 27 and  
6 inserting:

7 <3. a. A person serving a sentence for a  
8 conviction of robbery in the second degree in violation  
9 of section 711.3 for a conviction that occurs on  
10 or after July 1, 2016, shall be denied parole or  
11 work release until the person has served between  
12 three-tenths and seven-tenths of the maximum term of  
13 the person's sentence as provided under paragraph "b".  
14 b. The sentencing court shall determine when  
15 the person shall become eligible for consideration  
16 of parole or work release within the parameters  
17 specified under paragraph "a", based upon all pertinent  
18 information including the person's criminal record, a  
19 validated risk assessment, and the negative impact the  
20 offense has had on the victim or other persons.>

21 3. Title page, by striking line 1 and inserting <An  
22 Act relating to denial of parole and work release for  
23 offenders who commit the criminal offense of robbery in  
24 the second degree or child endangerment>

COMMITTEE ON JUDICIARY  
STEVEN J. SODDERS, Chair

**S-5083**

1 Amend House File 2314, as passed by the House, as  
2 follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <DIVISION I

6 VERIFICATION, TRAINING, AND APPEALS

7 Section 1. Section 724.4, subsection 4, paragraph  
8 i, Code 2016, is amended to read as follows:

9 *i.* (1) A person who has in the person's immediate  
10 possession and who displays to a peace officer on  
11 demand a valid permit to carry weapons which has been  
12 issued to the person, and whose conduct is within the  
13 limits of that permit. A peace officer shall verify  
14 through electronic means, if possible, the validity of  
15 the person's permit to carry weapons.

16 (2) A person commits a simple misdemeanor  
17 punishable as a scheduled violation pursuant to section  
18 805.8C, subsection 11, if the person does not have in  
19 the person's immediate possession a valid permit to  
20 carry weapons which has been issued to the person.

21 (3) A Except as provided in subparagraph (2), a  
22 person shall not be convicted of a violation of this  
23 section if the person produces at the person's trial a  
24 permit to carry weapons which was valid at the time of the  
25 alleged offense and which would have brought the  
26 person's conduct within this exception if the permit  
27 had been produced at the time of the alleged offense.

28 Sec. 2. Section 724.5, Code 2016, is amended to  
29 read as follows:

30 **724.5 Duty to carry or verify permit to carry**  
31 **weapons.**

32 1. A person armed with a revolver, pistol, or  
33 pocket billy concealed upon the person shall have in  
34 the person's immediate possession the permit provided  
35 for in section 724.4, subsection 4, paragraph "i", and

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1 shall produce the permit for inspection at the request  
2 of a peace officer.

3 2. A peace officer shall verify through electronic  
4 means, if possible, the validity of the person's permit  
5 to carry weapons.

6 3. Failure to so produce a permit is a simple  
7 misdemeanor, punishable as a scheduled violation  
8 pursuant to section 805.8C, subsection 12.

9 Sec. 3. Section 724.9, Code 2016, is amended to  
10 read as follows:

11 **724.9 Firearm training program.**

12 1. An applicant for an initial permit to carry  
13 weapons shall demonstrate knowledge of firearm safety  
14 by any of the following means:

15 *a.* Completion of any national rifle association  
16 handgun safety training course that includes  
17 qualification on a firing range.

18 *b.* Completion of any handgun safety training course  
19 that includes qualification on a firing range available



20 to the general public offered by a law enforcement  
 21 agency, community college, college, private or public  
 22 institution or organization, or firearms training  
 23 school, utilizing instructors certified by the national  
 24 rifle association or the department of public safety  
 25 or another state's department of public safety, state  
 26 police department, or similar certifying body.  
 27 c. Completion of any handgun safety training course  
 28 that includes qualification on a firing range offered  
 29 for security guards, investigators, special deputies,  
 30 or any division or subdivision of a law enforcement or  
 31 security enforcement agency approved by the department  
 32 of public safety.  
 33 d. Completion of small arms training while serving  
 34 with the armed forces of the United States ~~as evidenced~~  
 35 ~~by any of the following:~~

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1 ~~(1) For personnel released or retired from active~~  
 2 ~~duty, possession of an honorable discharge or general~~  
 3 ~~discharge under honorable conditions.~~  
 4 ~~(2) For personnel on active duty or serving in~~  
 5 ~~one of the national guard or reserve components of~~  
 6 ~~the armed forces of the United States, possession of~~  
 7 ~~a certificate of completion of basic training with a~~  
 8 ~~service record of successful completion of small arms~~  
 9 ~~training and qualification.~~  
 10 e. Completion of a law enforcement agency firearms  
 11 training course that qualifies a peace officer to carry  
 12 a firearm in the normal course of the peace officer's  
 13 duties.  
 14 2. a. (1) Beginning with the first renewal of  
 15 a permit issued after the calendar year 2010, and  
 16 alternating renewals thereafter, training is not  
 17 required.  
 18 (2) If an applicant applies beyond the time  
 19 period specified for a renewal in section 724.11, the  
 20 applicant shall be required to complete training as  
 21 specified in subsection 1.  
 22 b. (1) Beginning with the second renewal of  
 23 a permit issued after the calendar year 2010, and  
 24 alternating renewals thereafter, an applicant is  
 25 required to complete a handgun safety training course  
 26 available to the general public offered by a law  
 27 enforcement agency, community college, college, private  
 28 or public institution or organization, or firearms  
 29 training school, utilizing instructors certified by the  
 30 national rifle association or the department of public  
 31 safety or another state's department of public safety,  
 32 state police department, or similar certifying body.

33 The handgun safety training course may be conducted  
 34 over the internet in a live or web-based format, if  
 35 completion of the course is verified by the instructor

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1 or provider of the course.  
 2 (2) If an applicant applies beyond the time  
 3 period specified for a renewal in section 724.11, the  
 4 applicant shall be required to complete training as  
 5 specified in subsection 1.  
 6 ~~2. 3. Evidence~~ If training is required under  
 7 this section, evidence of qualification under this  
 8 section such training may be documented by any of the  
 9 following:  
 10 a. A photocopy of a certificate of completion or  
 11 any similar document indicating completion of any  
 12 course or class identified in subsection 1 that was  
 13 completed within twenty-four months prior to the date  
 14 of the application.  
 15 b. An affidavit from the instructor, school,  
 16 organization, or group that conducted or taught a  
 17 course or class identified in subsection 1 that was  
 18 completed within twenty-four months prior to the date  
 19 of the application attesting to the completion of the  
 20 course or class by the applicant.  
 21 e. ~~A copy of any document indicating participation~~  
 22 ~~in any firearms shooting competition.~~  
 23 c. Possession of an honorable discharge or general  
 24 discharge under honorable conditions issued any time  
 25 prior to the date of the application for personnel  
 26 released or retired from active duty in the armed  
 27 forces of the United States.  
 28 d. Possession of a certificate of completion of  
 29 basic training with a service record of successful  
 30 completion of small arms training issued prior  
 31 to the date of the application, or other official  
 32 documentation satisfactory to the issuing officer  
 33 that was issued prior to the date of the application  
 34 for personnel on active duty or serving in one of  
 35 the national guard or reserve components of the armed

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1 forces of the United States.  
 2 e. The training for a renewal under this subsection  
 3 must occur within a twenty-four-month period prior  
 4 to the expiration of the applicant's current permit,  
 5 except that the twenty-four-month period limitation for  
 6 training does not apply to an applicant who is able  
 7 to demonstrate completion of small arms training as  
 8 specified in section 724.9, subsection 1, paragraph

9 “d”

10 ~~3.~~ 4. An issuing officer shall not condition the  
11 issuance of a permit on training requirements that are  
12 not specified in or that exceed the requirements of  
13 this section.

14 Sec. 4. Section 724.11, subsections 1 and 3, Code  
15 2016, are amended to read as follows:

16 1. Applications for permits to carry weapons  
17 shall be made to the sheriff of the county in which  
18 the applicant resides. Applications for professional  
19 permits to carry weapons for persons who are  
20 nonresidents of the state, or whose need to go armed  
21 arises out of employment by the state, shall be made  
22 to the commissioner of public safety. In either case,  
23 the sheriff or commissioner, before issuing the permit,  
24 shall determine that the requirements of sections  
25 724.6 to 724.10 have been satisfied. ~~However, for~~  
26 ~~renewal of a permit the training program requirements~~  
27 ~~in section 724.9, subsection 1, shall apply or the~~  
28 ~~renewal applicant may choose to qualify on a firing~~  
29 ~~range under the supervision of an instructor certified~~  
30 ~~by the national rifle association or the department of~~  
31 ~~public safety or another state's department of public~~  
32 ~~safety, state police department, or similar certifying~~  
33 ~~body. Such training or qualification must occur within~~  
34 ~~the twelve-month period prior to the expiration of the~~  
35 ~~applicant's current permit.~~

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1 3. The issuing officer shall collect a fee of fifty  
2 dollars, except from a duly appointed peace officer or  
3 correctional officer, for each permit issued. Renewal  
4 permits or duplicate permits shall be issued for a  
5 fee of twenty-five dollars, provided the application  
6 for such renewal permit is received by the issuing  
7 officer at least no later than thirty days ~~prior to~~  
8 after the expiration of the applicant's current permit.  
9 The issuing officer shall notify the commissioner of  
10 public safety of the issuance of any permit at least  
11 monthly as provided in section 724.11B, and forward to  
12 the commissioner an amount equal to ten dollars for  
13 each permit issued and five dollars for each renewal  
14 or duplicate permit issued. All such fees received  
15 by the commissioner shall be paid to the treasurer  
16 of state and deposited in the operating account of  
17 the department of public safety to offset the cost of  
18 administering this chapter. Notwithstanding section  
19 8.33, any unspent balance as of June 30 of each year  
20 shall not revert to the general fund of the state.  
21 Sec. 5. NEW SECTION. 724.11B Professional and  
22 nonprofessional permit to carry weapons — durable copy.

23 1. Within fourteen days after the sheriff has  
24 issued an initial, renewal, or duplicate professional  
25 or nonprofessional permit to carry weapons, the sheriff  
26 shall transmit the permit holder's information to  
27 the department of public safety. Within thirty days  
28 of the permit holder's information being transmitted  
29 to the department of public safety, the department  
30 shall issue a more durable copy of the professional or  
31 nonprofessional permit to carry weapons to the permit  
32 holder.

33 2. The durable copy of the permit shall have a  
34 uniform appearance, size, and content prescribed and  
35 published by the commissioner of public safety. The

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1 permit shall contain the name of the permit holder  
2 and the effective date of the permit, but shall not  
3 contain the permit holder's social security number or  
4 photograph and shall not contain information about a  
5 particular weapon or any ammunition as prescribed by  
6 section 724.7, subsection 1.

7 3. a. A durable copy of the permit issued pursuant  
8 to this section shall be considered a valid permit.

9 b. The initial, renewal, or duplicate permit issued  
10 by the sheriff pursuant to section 724.7, subsection 1,  
11 shall not be considered a valid permit more than sixty  
12 days after issuance.

13 Sec. 6. **NEW SECTION. 724.14 Professional and**  
14 **nonprofessional permit — change of residence to another**  
15 **county.**

16 If a permit holder of a professional or  
17 nonprofessional permit to carry weapons changes  
18 residences from one county to another county after the  
19 issuance of the permit, the department of public safety  
20 shall by rule specify the procedure to transfer the  
21 regulation of the holder's permit to another sheriff  
22 for the purposes of issuing a renewal or duplicate  
23 permit, or complying with section 724.13.

24 Sec. 7. Section 724.21A, Code 2016, is amended by  
25 adding the following new subsection:

26 **NEW SUBSECTION. 8.** If an applicant appeals the  
27 decision by the sheriff or commissioner to deny an  
28 application, or suspend or revoke a permit to carry  
29 weapons or a permit to acquire, and it is later  
30 determined the applicant is eligible to be issued  
31 or possess such a permit, the applicant shall be  
32 awarded costs related to the administrative proceeding  
33 and reasonable attorney fees if applicable. If the  
34 decision of the sheriff or commissioner to deny the  
35 application, or suspend or revoke the permit is upheld

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1 on appeal, the political subdivision of the state  
 2 representing the sheriff or the commissioner shall be  
 3 awarded costs related to the administrative proceeding  
 4 and reasonable attorney fees if applicable.

5 Sec. 8. Section 805.8C, Code 2016, is amended by  
 6 adding the following new subsections:

7 NEW SUBSECTION. 11. *Duty to possess permit to carry*  
 8 *weapons.* For violations of section 724.4, subsection  
 9 4, paragraph “i”, subparagraph (2), the scheduled fine  
 10 is ten dollars.

11 NEW SUBSECTION. 12. *Failure to produce permit to*  
 12 *carry.* For violations of section 724.5, the scheduled  
 13 fine is ten dollars.

14 DIVISION II  
 15 CONFIDENTIALITY

16 Sec. 9. Section 724.23, Code 2016, is amended to  
 17 read as follows:

18 **724.23 Records kept by commissioner and issuing**  
 19 **officers.**

20 1. The commissioner of public safety shall maintain  
 21 a permanent record of all valid permits to carry  
 22 weapons and of current permit revocations.

23 2. a. Notwithstanding any other law or rule to  
 24 the contrary, the commissioner of public safety and  
 25 any issuing officer shall keep confidential personally  
 26 identifiable information of applicants and holders  
 27 of professional and nonprofessional permits to carry  
 28 weapons and permits to acquire pistols or revolvers,  
 29 including but not limited to the name, social security  
 30 number, date of birth, residential or business address,  
 31 and driver’s license or other identification number of  
 32 the applicant or permit holder.

33 b. This subsection shall not prohibit the release  
 34 of statistical information relating to the issuance,  
 35 denial, revocation, or administration of professional

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1 and nonprofessional permits to carry weapons and  
 2 permits to acquire pistols or revolvers, provided that  
 3 the release of such information does not reveal the  
 4 identity of any applicant or individual permit holder.

5 c. This subsection shall not prohibit the release  
 6 of information to any law enforcement agency or any  
 7 employee or agent thereof when necessary for the  
 8 purpose of investigating a possible violation of law  
 9 and probable cause exists, or for conducting a lawfully  
 10 authorized background investigation.

11 d. This subsection shall not prohibit the  
 12 release of information relating to the validity of a

13 professional permit to carry weapons to an employer who  
14 requires an employee or an agent of the employer to  
15 possess a professional permit to carry weapons as part  
16 of the duties of the employee or agent.  
17 e. (1) (a) This subsection shall not prohibit  
18 the release of the information described in  
19 subparagraph (2) to a member of the public who requests  
20 whether another person possesses a professional or  
21 nonprofessional permit to carry weapons or a permit to  
22 acquire pistols or revolvers. However, information  
23 described in subparagraph (2) regarding a person in  
24 whose favor either a no-contact order or a protective  
25 order, as defined in section 664A.1, has been issued  
26 and is still in effect, shall not be released pursuant  
27 to this paragraph "e", if the person presents the  
28 order to the department of public safety or the  
29 issuing officer. Prior to the release of information  
30 described in subparagraph (2), the member of the public  
31 requesting the information shall appear in person and  
32 provide in writing to the department of public safety  
33 or the issuing officer the name of the member of the  
34 public, on a form prescribed by the department of  
35 public safety. Alternatively, a member of the public

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1 may request the information in writing by completing  
2 the form prescribed by the department of public  
3 safety and transmitting the form to the department or  
4 issuing officer. The request must include the name  
5 of the other person and at least one of the following  
6 identifiers pertaining to the other person:  
7 (i) The date of birth of the person.  
8 (ii) The address of the person.  
9 (iii) The telephone number of the person, including  
10 any landline or wireless numbers.  
11 (b) (i) Except as provided in subparagraph  
12 subdivision (ii), the department or issuing officer  
13 shall keep a record of the person making the request.  
14 (ii) If a person in whose favor either a no-contact  
15 order or a protective order, as defined in section  
16 664A.1, has been issued and is still in effect,  
17 presents the order to the department of public safety  
18 or the issuing officer and requests whether another  
19 person who is the subject of the order possesses a  
20 professional or nonprofessional permit to carry weapons  
21 or a permit to acquire pistols or revolvers under this  
22 subparagraph (1), the department or issuing officer  
23 shall not keep a record of the person making the  
24 request or disclose the name of the person making the  
25 request.  
26 (2) The information released by the department

27 of public safety or issuing officer shall be limited  
 28 to an acknowledgment as to whether or not the  
 29 person currently possesses a valid professional or  
 30 nonprofessional permit to carry weapons or a permit  
 31 to acquire pistols or revolvers, the date such permit  
 32 was issued, and whether the person has ever possessed  
 33 such a permit that has been revoked or has expired and  
 34 the date the permit was revoked or expired. No other  
 35 information shall be released under this paragraph "e".

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1 f. Except as provided in paragraphs "b", "c", "d",  
 2 and "e", the release of any confidential information  
 3 under this section shall require a court order or the  
 4 consent of the person whose personally identifiable  
 5 information is the subject of the information request.  
 6 g. The department of public safety shall, by  
 7 rule, establish a reasonable fee to cover the costs  
 8 of complying with the release of information requests  
 9 pursuant to this subsection.  
 10 Sec. 10. EFFECTIVE UPON ENACTMENT. This division  
 11 of this Act, being deemed of immediate importance,  
 12 takes effect upon enactment.  
 13 Sec. 11. APPLICABILITY. This division of this Act  
 14 applies to holders of professional and nonprofessional  
 15 permits to carry weapons and permits to acquire pistols  
 16 or revolvers and to applicants for professional and  
 17 nonprofessional permits to carry weapons and permits to  
 18 acquire pistols or revolvers on or after the effective  
 19 date of this division of this Act.

#### DIVISION III

#### FRAUDULENT TRANSFER

22 Sec. 12. NEW SECTION. 724.29A Fraudulent transfer  
 23 of firearms or ammunition.  
 24 1. For purposes of this section:  
 25 a. "Ammunition" means any cartridge, shell, or  
 26 projectile designed for use in a firearm.  
 27 b. "Licensed firearms dealer" means a person who is  
 28 licensed pursuant to 18 U.S.C. §923 to engage in the  
 29 business of dealing in firearms.  
 30 c. "Materially false information" means information  
 31 that portrays an illegal transaction as legal or a  
 32 legal transaction as illegal.  
 33 d. "Private seller" means a person who sells or  
 34 offers for sale any firearm or ammunition.  
 35 2. A person who knowingly solicits, persuades,

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1 encourages, or entices a licensed firearms dealer or  
 2 private seller of firearms or ammunition to transfer  
 3 a firearm or ammunition under circumstances that the

4 person knows would violate the laws of this state or of  
5 the United States commits a class “D” felony.

6 3. A person who knowingly provides materially  
7 false information to a licensed firearms dealer or  
8 private seller of firearms or ammunition with the  
9 intent to deceive the firearms dealer or seller about  
10 the legality of a transfer of a firearm or ammunition  
11 commits a class “D” felony.

12 4. Any person who willfully procures another to  
13 engage in conduct prohibited by this section shall be  
14 held accountable as a principal.

15 5. This section does not apply to a law enforcement  
16 officer acting in the officer’s official capacity  
17 or to a person acting at the direction of such law  
18 enforcement officer.

19 DIVISION IV

20 RULES

21 Sec. 13. NEW SECTION. **724.32 Rules.**

22 The department of public safety shall adopt rules  
23 pursuant to chapter 17A to administer this chapter.>

COMMITTEE ON JUDICIARY  
STEVEN J. SODDERS, Chair

**S-5084**

1 Amend House File 2399, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <Section 1. Section 708.11, subsection 1, paragraph  
6 b, Code 2016, is amended to read as follows:

7 *b. “Course of conduct” means repeatedly*  
8 *maintaining a visual or physical proximity to a person*  
9 *without legitimate purpose, repeatedly utilizing a*  
10 *technological device to locate, listen to, or watch*  
11 *a person without legitimate purpose,* or repeatedly  
12 conveying oral or written threats, threats implied  
13 by conduct, or a combination thereof, directed at or  
14 toward a person.

15 Sec. 2. Section 708.11, subsection 2, Code 2016, is  
16 amended to read as follows:

17 2. A person commits stalking when all of the  
18 following occur:

19 *a. The person purposefully engages in a course of*  
20 *conduct directed at a specific person that would cause*  
21 *a reasonable person to feel terrorized, frightened,*  
22 *intimidated, or threatened or to fear that the person*  
23 *intends to cause* bodily injury to, or the death of,  
24 that specific person or a member of the specific  
25 person’s immediate family.

26 *b. The person has knowledge or should have*



27 knowledge that ~~the specific person will be placed in~~  
 28 ~~reasonable fear of a reasonable person would feel~~  
 29 ~~terrorized, frightened, intimidated, or threatened or~~  
 30 ~~fear that the person intends to cause~~ bodily injury to,  
 31 or the death of, that specific person or a member of  
 32 the specific person's immediate family by the course  
 33 of conduct.  
 34 ~~e. The person's course of conduct induces fear in~~  
 35 ~~the specific person of bodily injury to, or the death~~

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1 ~~of, the specific person or a member of the specific~~  
 2 ~~person's immediate family.~~  
 3 Sec. 3. NEW SECTION. 708.11A Unauthorized  
 4 placement of global positioning device.  
 5 1. A person commits unauthorized placement of  
 6 a global positioning device, when, with intent to  
 7 intimidate, annoy, or alarm another person, the person,  
 8 without the consent of the other person, places a  
 9 global positioning device on the other person or an  
 10 object in order to track the movements of the other  
 11 person without a legitimate purpose.  
 12 2. A person who commits a violation of this section  
 13 commits a serious misdemeanor.  
 14 Sec. 4. Section 901.2, subsection 2, paragraph  
 15 d, Code 2016, is amended by adding the following new  
 16 subparagraph:  
 17 NEW SUBPARAGRAPH. (4) A risk assessment when the  
 18 offense is a domestic abuse assault in violation of  
 19 section 708.2A, or harassment in violation of section  
 20 708.7.  
 21 Sec. 5. Section 901.3, Code 2016, is amended by  
 22 adding the following new subsection:  
 23 NEW SUBSECTION. 1A. The performance of a risk  
 24 assessment shall be required as part of a presentence  
 25 investigation under subsection 1 for domestic abuse  
 26 assault in violation of section 708.2A, harassment in  
 27 violation of section 708.7, or stalking in violation of  
 28 section 708.11.  
 29 Sec. 6. Section 903A.2, subsection 1, paragraph a,  
 30 Code 2016, is amended to read as follows:  
 31 a. (1) Category "A" sentences are those sentences  
 32 which are not subject to a maximum accumulation of  
 33 earned time of fifteen percent of the total sentence  
 34 of confinement under section 902.12. To the extent  
 35 provided in subsection 5, category "A" sentences also

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1 include life sentences imposed under section 902.1.  
 2 An inmate of an institution under the control of the  
 3 department of corrections who is serving a category

4 “A” sentence is eligible for a reduction of sentence  
 5 equal to one and two-tenths days for each day the  
 6 inmate demonstrates good conduct and satisfactorily  
 7 participates in any program or placement status  
 8 identified by the director to earn the reduction. The  
 9 programs include but are not limited to the following:  
 10 ~~(1)~~ (a) Employment in the institution.  
 11 ~~(2)~~ (b) Iowa state industries.  
 12 ~~(3)~~ (c) An employment program established by the  
 13 director.  
 14 ~~(4)~~ (d) A treatment program established by the  
 15 director.  
 16 ~~(5)~~ (e) An inmate educational program approved by  
 17 the director.  
 18 (2) (a) However, an An inmate required to  
 19 participate in a sex offender treatment program shall  
 20 not be eligible for a reduction of sentence unless the  
 21 inmate participates in and completes a sex offender  
 22 treatment program established by the director.  
 23 (b) An inmate required to participate in a  
 24 batterers’ treatment program shall not be eligible for  
 25 a reduction of sentence unless the inmate participates  
 26 in and completes a batterers’ treatment program  
 27 established by the director.  
 28 (3) An inmate serving a category “A” sentence is  
 29 eligible for an additional reduction of sentence of  
 30 up to three hundred sixty-five days of the full term  
 31 of the sentence of the inmate for exemplary acts. In  
 32 accordance with section 903A.4, the director shall by  
 33 policy identify what constitutes an exemplary act that  
 34 may warrant an additional reduction of sentence.  
 35 Sec. 7. NEW SECTION. 905.16 Electronic tracking

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1 **and monitoring system — domestic abuse.**  
 2 A person placed on probation, parole, work release,  
 3 special sentence, or any other type of conditional  
 4 release for domestic abuse assault in violation of  
 5 section 708.2A, harassment in violation of section  
 6 708.7, stalking in violation of section 708.11, or for  
 7 a violation of any other offense, may be supervised  
 8 by an electronic tracking and monitoring system for  
 9 a period of time to be determined by the court, in  
 10 addition to any other conditions of supervision.>  
 11 2. Title page, by striking lines 1 and 2 and  
 12 inserting <An Act relating to the criminal offenses  
 13 of stalking, harassment, unauthorized placement of a  
 14 global positioning device, and domestic abuse, and  
 15 providing penalties.>

## S-5085

1 Amend House File 493, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. By striking everything after the enacting clause  
4 and inserting:  
5 <Section 1. Section 331.304, Code 2016, is amended  
6 by adding the following new subsection:  
7 NEW SUBSECTION. 11. A county shall not adopt or  
8 enforce any ordinance or regulation in violation of  
9 section 562A.27B or 562B.25B.  
10 Sec. 2. Section 364.3, Code 2016, is amended by  
11 adding the following new subsection:  
12 NEW SUBSECTION. 11. A city shall not adopt or  
13 enforce any ordinance or regulation in violation of  
14 section 562A.27B or 562B.25B.  
15 Sec. 3. NEW SECTION. **562A.27B Right to summon**  
16 **emergency assistance — waiver of rights.**  
17 1. *a.* A landlord shall not prohibit or limit a  
18 resident's or tenant's rights to summon law enforcement  
19 assistance or other emergency assistance by or on  
20 behalf of a victim of abuse, a victim of a crime, or an  
21 individual in an emergency.  
22 *b.* A landlord shall not impose monetary or other  
23 penalties on a resident or tenant who exercises the  
24 resident's or tenant's right to summon law enforcement  
25 assistance or other emergency assistance.  
26 *c.* Penalties prohibited by this subsection include  
27 all of the following:  
28 (1) The actual or threatened assessment of  
29 penalties, fines, or fees.  
30 (2) The actual or threatened eviction, or causing  
31 the actual or threatened eviction, from the premises.  
32 *d.* Any waiver of the provisions of this  
33 subsection is contrary to public policy and is void,  
34 unenforceable, and of no force or effect.  
35 *e.* This subsection shall not be construed to

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1 prohibit a landlord from recovering from a resident  
2 or tenant an amount equal to the costs incurred to  
3 repair property damage if the damage is caused by law  
4 enforcement or other emergency personnel summoned by  
5 the resident or tenant.  
6 *f.* This section does not prohibit a landlord from  
7 terminating, evicting, or refusing to renew a tenancy  
8 or rental agreement when such action is premised upon  
9 grounds other than the resident's or tenant's exercise  
10 of the right to summon law enforcement assistance or  
11 other emergency assistance by or on behalf of a victim  
12 of abuse, a victim of a crime, or an individual in an

13 emergency.

14 2. *a.* An ordinance, rule, or regulation of a  
15 city, county, or other governmental entity shall not  
16 authorize imposition of a penalty against a resident,  
17 owner, tenant, or landlord because the resident, owner,  
18 tenant, or landlord was a victim of abuse or crime.

19 *b.* An ordinance, rule, or regulation of a city,  
20 county, or other governmental entity shall not  
21 authorize imposition of a penalty against a resident,  
22 owner, tenant, or landlord because the resident, owner,  
23 tenant, or landlord sought law enforcement assistance  
24 or other emergency assistance for a victim of abuse, a  
25 victim of a crime, or an individual in an emergency, if  
26 either of the following is established:

27 (1) The resident, owner, tenant, or landlord  
28 seeking assistance had a reasonable belief that the  
29 emergency assistance was necessary to prevent the  
30 perpetration or escalation of the abuse, crime, or  
31 emergency.

32 (2) In the event of abuse, crime, or other  
33 emergency, the emergency assistance was actually  
34 needed.

35 *c.* Penalties prohibited by this subsection include

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1 all of the following:

2 (1) The actual or threatened assessment of  
3 penalties, fines, or fees.

4 (2) The actual or threatened eviction, or causing  
5 the actual or threatened eviction, from the premises.

6 (3) The actual or threatened revocation,  
7 suspension, or nonrenewal of a rental certificate,  
8 license, or permit.

9 *d.* This subsection does not prohibit a city,  
10 county, or other governmental entity from enforcing any  
11 ordinance, rule, or regulation premised upon grounds  
12 other than a request for law enforcement assistance  
13 or other emergency assistance by a resident, owner,  
14 tenant, or landlord, or the fact that the resident,  
15 owner, tenant, or landlord was a victim of crime or  
16 abuse.

17 *e.* This subsection does not prohibit a city,  
18 county, or other governmental entity from collecting  
19 penalties, fines, or fees for services provided which  
20 are necessitated by the cleanup of hazardous materials,  
21 the cleanup of vandalism, for a response to a false  
22 alarm call, or which are incurred by the provision of  
23 emergency medical services.

24 3. In addition to other remedies provided by law,  
25 if an owner or landlord violates the provisions of this  
26 section, a resident or tenant is entitled to recover

- 27 from the owner or landlord any of the following:
- 28    a. A civil penalty in an amount equal to one
- 29 month's rent.
- 30    b. Actual damages.
- 31    c. Reasonable attorney fees the tenant or resident
- 32 incurs in seeking enforcement of this section.
- 33    d. Court costs.
- 34    e. Injunctive relief.
- 35    4. In addition to other remedies provided by

Page 4

- 1 law, if a city, county, or other governmental entity
- 2 violates the provisions of this section, a resident,
- 3 owner, tenant, or landlord is entitled to recover from
- 4 the city, county, or other governmental entity any of
- 5 the following:
- 6    a. An order requiring the city, county, or other
- 7 governmental entity to cease and desist the unlawful
- 8 practice.
- 9    b. Other equitable relief, including reinstatement
- 10 of a rental certificate, license, or permit, as the
- 11 court may deem appropriate.
- 12    c. Actual damages.
- 13    d. Reasonable attorney fees the resident, owner,
- 14 tenant, or landlord incurs in seeking enforcement of
- 15 this section.
- 16    e. Court costs.
- 17    5. For purposes of this section, "*resident*" means
- 18 a member of a tenant's family and any other person
- 19 occupying the dwelling unit with the consent of the
- 20 tenant.
- 21    Sec. 4. **NEW SECTION. 562B.25B Right to summon**
- 22 **emergency assistance — waiver of rights.**
- 23    1.    a. A landlord shall not prohibit or limit a
- 24 resident's or tenant's rights to summon law enforcement
- 25 assistance or other emergency assistance by or on
- 26 behalf of a victim of abuse, a victim of a crime, or an
- 27 individual in an emergency.
- 28    b. A landlord shall not impose monetary or other
- 29 penalties on a resident or tenant who exercises the
- 30 resident's or tenant's right to summon law enforcement
- 31 assistance or other emergency assistance.
- 32    c. Penalties prohibited by this subsection include
- 33 all of the following:
- 34    (1) The actual or threatened assessment of
- 35 penalties, fines, or fees.

Page 5

- 1    (2) The actual or threatened eviction, or causing
- 2 the actual or threatened eviction, from the premises.
- 3    d. Any waiver of the provisions of this

4 subsection is contrary to public policy and is void,  
5 unenforceable, and of no force or effect.

6 *e.* This subsection shall not be construed to  
7 prohibit a landlord from recovering from a resident  
8 or tenant an amount equal to the costs incurred to  
9 repair property damage if the damage is caused by law  
10 enforcement or other emergency personnel summoned by  
11 the resident or tenant.

12 *f.* This section does not prohibit a landlord from  
13 terminating, evicting, or refusing to renew a tenancy  
14 or rental agreement when such action is premised upon  
15 grounds other than the resident's or tenant's exercise  
16 of the right to summon law enforcement assistance or  
17 other emergency assistance by or on behalf of a victim  
18 of abuse, a victim of a crime, or an individual in an  
19 emergency.

20 2. *a.* An ordinance, rule, or regulation of a  
21 city, county, or other governmental entity shall not  
22 authorize imposition of a penalty against a resident,  
23 owner, tenant, or landlord because the resident, owner,  
24 tenant, or landlord was a victim of abuse or crime.

25 *b.* An ordinance, rule, or regulation of a city,  
26 county, or other governmental entity shall not  
27 authorize imposition of a penalty against a resident,  
28 owner, tenant, or landlord because the resident, owner,  
29 tenant, or landlord sought law enforcement assistance  
30 or other emergency assistance for a victim of abuse, a  
31 victim of a crime, or an individual in an emergency, if  
32 either of the following is established:

33 (1) The resident, owner, tenant, or landlord  
34 seeking assistance had a reasonable belief that the  
35 emergency assistance was necessary to prevent the

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1 perpetration or escalation of the abuse, crime, or  
2 emergency.

3 (2) In the event of abuse, crime, or other  
4 emergency, the emergency assistance was actually  
5 needed.

6 *c.* Penalties prohibited by this subsection include  
7 all of the following:

8 (1) The actual or threatened assessment of  
9 penalties, fines, or fees.

10 (2) The actual or threatened eviction, or causing  
11 the actual or threatened eviction, from the premises.

12 (3) The actual or threatened revocation,  
13 suspension, or nonrenewal of a rental certificate,  
14 license, or permit.

15 *d.* This subsection does not prohibit a city,  
16 county, or other governmental entity from enforcing any  
17 ordinance, rule, or regulation premised upon grounds

18 other than a request for law enforcement assistance  
19 or other emergency assistance by a resident, owner,  
20 tenant, or landlord, or the fact that the resident,  
21 owner, tenant, or landlord was a victim of crime or  
22 abuse.

23 e. This subsection does not prohibit a city,  
24 county, or other governmental entity from collecting  
25 penalties, fines, or fees for services provided which  
26 are necessitated by the cleanup of hazardous materials,  
27 the cleanup of vandalism, for a response to a false  
28 alarm call, or which are incurred by the provision of  
29 emergency medical services.

30 3. In addition to other remedies provided by law,  
31 if an owner or landlord violates the provisions of this  
32 section, a resident or tenant is entitled to recover  
33 from the owner or landlord any of the following:

34 a. A civil penalty in an amount equal to one  
35 month's rent.

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1 b. Actual damages.

2 c. Reasonable attorney fees the tenant or resident  
3 incurs in seeking enforcement of this section.

4 d. Court costs.

5 e. Injunctive relief.

6 4. In addition to other remedies provided by  
7 law, if a city, county, or other governmental entity  
8 violates the provisions of this section, a resident,  
9 owner, tenant, or landlord is entitled to recover from  
10 the city, county, or other governmental entity any of  
11 the following:

12 a. An order requiring the city, county, or other  
13 governmental entity to cease and desist the unlawful  
14 practice.

15 b. Other equitable relief, including reinstatement  
16 of a rental certificate, license, or permit, as the  
17 court may deem appropriate.

18 c. Actual damages.

19 d. Reasonable attorney fees the resident, owner,  
20 tenant, or landlord incurs in seeking enforcement of  
21 this section.

22 e. Court costs.

23 5. For purposes of this section, "*resident*" means  
24 a member of a tenant's family and any other person  
25 occupying the dwelling unit with the consent of the  
26 tenant.>

**S-5086**

- 1 Amend the amendment, S-5082, to House File 2064,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 1, after line 2 by inserting:  
 5 <1. Page 1, by striking line 19 and inserting  
 6 <section 711.2 or 711.3.>>  
 7 2. Page 1, by striking lines 5 through 24 and  
 8 inserting:  
 9 <\_\_. Page 2, by striking lines 4 through 27 and  
 10 inserting:  
 11 <Sec. \_\_. Section 802.2B, Code 2016, is amended by  
 12 adding the following new subsection:  
 13 NEW SUBSECTION. 5A. Child endangerment in  
 14 violation of section 726.6.>  
 15 \_\_. Title page, line 2, after <minor> by inserting  
 16 <and limitations on criminal actions for child  
 17 endangerment>>  
 18 3. By renumbering as necessary.

KEVIN KINNEY

**S-5087**

- 1 Amend House File 2283, as passed by the House, as  
 2 follows:  
 3 1. Page 1, by striking lines 3 through 19 and  
 4 inserting:  
 5 <2. a. A person shall not operate or ride a  
 6 snowmobile with a firearm in the person's possession  
 7 unless it is unloaded and enclosed in a carrying case.  
 8 However, a nonambulatory person may carry an uncased  
 9 and unloaded firearm while operating or riding a  
 10 snowmobile.  
 11 b. (1) A person may operate or ride on a  
 12 snowmobile with a loaded firearm, whether concealed or  
 13 not, without a permit to carry weapons, if the person  
 14 operates or rides on land owned or possessed by the  
 15 person, and the person's conduct is otherwise lawful.  
 16 (2) If a person is operating or riding on a  
 17 snowmobile on land that is not owned or possessed  
 18 by the person, the person may operate or ride the  
 19 snowmobile with a loaded firearm, whether concealed or  
 20 not, if all of the following apply:  
 21 (a) The firearm is a pistol or revolver and is  
 22 secured in a retention holster upon the person.  
 23 (b) The person has in the person's possession and  
 24 displays to a peace officer on demand a valid permit to  
 25 carry weapons which has been issued to the person.  
 26 (c) The person's conduct is within the limits of  
 27 the permit to carry weapons.



28 c. A person shall not discharge a firearm while on  
 29 a snowmobile, except that a nonambulatory person may  
 30 discharge a firearm from a snowmobile while lawfully  
 31 hunting if the person is not operating or riding a  
 32 moving snowmobile.>  
 33 2. By striking page 1, line 22, through page 2,  
 34 line 8, and inserting:  
 35 <2. a. A person shall not operate or ride an

Page 2

1 all-terrain vehicle with a firearm in the person's  
 2 possession unless it is unloaded and enclosed in a  
 3 carrying case. However, a nonambulatory person may  
 4 carry an uncased and unloaded firearm while operating  
 5 or riding an all-terrain vehicle.  
 6 b. (1) A person may operate or ride on an  
 7 all-terrain vehicle with a loaded firearm, whether  
 8 concealed or not, without a permit to carry weapons, if  
 9 the person operates or rides on land owned or possessed  
 10 by the person, and the person's conduct is otherwise  
 11 lawful.  
 12 (2) If a person is operating or riding on an  
 13 all-terrain vehicle on land that is not owned or  
 14 possessed by the person, the person may operate or ride  
 15 the all-terrain vehicle with a loaded firearm, whether  
 16 concealed or not, if all of the following apply:  
 17 (a) The firearm is a pistol or revolver and is  
 18 secured in a retention holster upon the person.  
 19 (b) The person has in the person's possession and  
 20 displays to a peace officer on demand a valid permit to  
 21 carry weapons which has been issued to the person.  
 22 (c) The person's conduct is within the limits of  
 23 the permit to carry weapons.  
 24 c. A person shall not discharge a firearm while on  
 25 an all-terrain vehicle, except that a nonambulatory  
 26 person may discharge a firearm from an all-terrain  
 27 vehicle while lawfully hunting if the person is not  
 28 operating or riding a moving all-terrain vehicle.>

COMMITTEE ON NATURAL  
 RESOURCES AND ENVIRONMENT  
 DICK L. DEARDEN, Chair

S-5088

1 Amend House File 2385, as passed by the House, as  
 2 follows:  
 3 1. Page 1, by striking lines 3 through 5 and  
 4 inserting:  
 5 <3. A person who violates this section is subject  
 6 to a civil penalty ~~not to exceed~~ of one thousand

- 7 dollars for ~~each violation~~ a first offense, two  
 8 thousand dollars for a second offense, and three  
 9 thousand dollars for a third or subsequent offense.>  
 10 2. By striking page 1, line 28, through page 2,  
 11 line 9.  
 12 3. By renumbering as necessary.

COMMITTEE ON NATURAL  
 RESOURCES AND ENVIRONMENT  
 DICK L. DEARDEN, Chair

### S-5089

- 1 Amend Senate File 2300 as follows:  
 2 1. Page 10, after line 24 by inserting:  
 3 <k. For each eligible business issued a renewable  
 4 chemical production tax credit during each calendar  
 5 year:  
 6 (1) The identity of the eligible business.  
 7 (2) The amount of the tax credit.  
 8 (3) The manner in which the eligible business first  
 9 qualified as an eligible business under section 15.317,  
 10 subsection 4, whether by organizing, expanding, or  
 11 locating in the state.  
 12 l. The total amount of all renewable chemical  
 13 production tax credits claimed during each calendar  
 14 year, and the portion of the claims issued as refunds.>  
 15 2. Page 10, line 29, by striking <business> and  
 16 inserting <business, except as provided in subsection  
 17 2, paragraph "k">

WILLIAM A. DOTZLER, JR.

### S-5090

- 1 Amend Senate File 2303 as follows:  
 2 1. Page 1, line 2, after <REFERENCES> by inserting  
 3 <AND BONUS DEPRECIATION>  
 4 2. By striking page 1, line 3, through page 3, line  
 5 4, and inserting:  
 6 <Section 1. Section 15.335, subsection 7, paragraph  
 7 b, Code 2016, is amended to read as follows:  
 8 b. For purposes of this section, "Internal Revenue  
 9 Code" means the Internal Revenue Code in effect on  
 10 January 1, ~~2015~~ 2016.  
 11 Sec. \_\_. Section 422.3, subsection 5, Code 2016,  
 12 is amended to read as follows:  
 13 5. "Internal Revenue Code" means the Internal  
 14 Revenue Code of 1954, prior to the date of its  
 15 redesignation as the Internal Revenue Code of 1986  
 16 by the Tax Reform Act of 1986, or means the Internal  
 17 Revenue Code of 1986 as amended to and including

18 January 1, ~~2015~~ 2016.

19 Sec. \_\_\_\_ Section 422.7, subsection 39A, unnumbered  
20 paragraph 1, Code 2016, is amended to read as follows:

21 The additional first-year depreciation allowance  
22 authorized in section 168(k) of the Internal Revenue  
23 Code, as enacted by Pub. L. No. 110-185, §103, Pub. L.  
24 No. 111-5, §1201, Pub. L. No. 111-240, §2022, Pub. L.  
25 No. 111-312, §401, Pub. L. No. 112-240, §331, ~~and~~ Pub.  
26 L. No. 113-295, §125, and Pub. L. No. 114-113, §143,  
27 does not apply in computing net income for state tax  
28 purposes. If the taxpayer has taken the additional  
29 first-year depreciation allowance for purposes of  
30 computing federal adjusted gross income, then the  
31 taxpayer shall make the following adjustments to  
32 federal adjusted gross income when computing net income  
33 for state tax purposes:

34 Sec. \_\_\_\_ Section 422.9, subsection 2, paragraph i,  
35 Code 2016, is amended to read as follows:

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1 i. The deduction for state sales and use taxes  
2 is allowable only if the taxpayer elected to deduct  
3 the state sales and use taxes in lieu of state income  
4 taxes under section 164 of the Internal Revenue Code.  
5 A deduction for state sales and use taxes is not  
6 allowed if the taxpayer has taken the deduction for  
7 state income taxes or claimed the standard deduction  
8 under section 63 of the Internal Revenue Code. This  
9 paragraph applies to taxable years beginning after  
10 December 31, 2003, and before January 1, 2008, and to  
11 taxable years beginning after December 31, 2009, ~~and~~  
12 ~~before January 1, 2015.~~

13 Sec. \_\_\_\_ Section 422.10, subsection 3, paragraph  
14 b, Code 2016, is amended to read as follows:

15 b. For purposes of this section, "*Internal Revenue*  
16 *Code*" means the Internal Revenue Code in effect on  
17 January 1, ~~2015~~ 2016.

18 Sec. \_\_\_\_ Section 422.32, subsection 1, paragraph  
19 h, Code 2016, is amended to read as follows:

20 h. "*Internal Revenue Code*" means the Internal  
21 Revenue Code of 1954, prior to the date of its  
22 redesignation as the Internal Revenue Code of 1986  
23 by the Tax Reform Act of 1986, or means the Internal  
24 Revenue Code of 1986 as amended to and including  
25 January 1, ~~2015~~ 2016.

26 Sec. \_\_\_\_ Section 422.33, subsection 5, paragraph  
27 e, subparagraph (2), Code 2016, is amended to read as  
28 follows:

29 (2) For purposes of this subsection, "*Internal*  
30 *Revenue Code*" means the Internal Revenue Code in effect  
31 on January 1, ~~2015~~ 2016.

32 Sec. \_\_\_\_ Section 422.35, subsection 19A,  
 33 unnumbered paragraph 1, Code 2016, is amended to read  
 34 as follows:  
 35 The additional first-year depreciation allowance

Page 3

1 authorized in section 168(k) of the Internal Revenue  
 2 Code, as enacted by Pub. L. No. 110-185, §103, Pub. L.  
 3 No. 111-5, §1201, Pub. L. No. 111-240, §2022, Pub. L.  
 4 No. 111-312, §401, Pub. L. No. 112-240, §331, ~~and~~ Pub.  
 5 L. No. 113-295, §125, ~~and~~ Pub. L. No. 114-113, §143,  
 6 does not apply in computing net income for state tax  
 7 purposes. If the taxpayer has taken the additional  
 8 first-year depreciation allowance for purposes of  
 9 computing federal taxable income, then the taxpayer  
 10 shall make the following adjustments to federal  
 11 taxable income when computing net income for state tax  
 12 purposes:  
 13 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. This division  
 14 of this Act, being deemed of immediate importance,  
 15 takes effect upon enactment.  
 16 Sec. \_\_\_\_ RETROACTIVE APPLICABILITY.  
 17 1. Except as provided in subsection 2, this  
 18 division of this Act applies retroactively to January  
 19 1, 2015, for tax years beginning on or after that date.  
 20 2. The sections of this division of this Act  
 21 amending sections 422.7 and 422.35 apply retroactively  
 22 to January 1, 2015, for tax years ending on or after  
 23 that date.>  
 24 3. Title page, line 1, by striking <temporarily>  
 25 4. By renumbering as necessary.

RANDY FEENSTRA

**S-5091**

1 Amend House File 2264, as passed by the House, as  
 2 follows:  
 3 1. Page 2, after line 5 by inserting:  
 4 <Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. This Act,  
 5 being deemed of immediate importance, takes effect upon  
 6 enactment.>  
 7 2. Title page, line 2, after <bullying> by  
 8 inserting <and including effective date provisions>  
 9 3. By renumbering as necessary.

ROBERT M. HOGG

**S-5092**

1 Amend House File 2433, as passed by the House, as  
2 follows:

3 1. Page 1, line 2, after <REFERENCES> by inserting  
4 <AND BONUS DEPRECIATION>

5 2. By striking page 1, line 3, through page 3, line  
6 4, and inserting:

7 <Section 1. Section 15.335, subsection 7, paragraph  
8 b, Code 2016, is amended to read as follows:

9 *b.* For purposes of this section, “*Internal Revenue*  
10 *Code*” means the Internal Revenue Code in effect on  
11 January 1, ~~2015~~ 2016.

12 Sec. \_\_\_\_ Section 422.3, subsection 5, Code 2016,  
13 is amended to read as follows:

14 5. “*Internal Revenue Code*” means the Internal  
15 Revenue Code of 1954, prior to the date of its  
16 redesignation as the Internal Revenue Code of 1986  
17 by the Tax Reform Act of 1986, or means the Internal  
18 Revenue Code of 1986 as amended to and including  
19 January 1, ~~2015~~ 2016.

20 Sec. \_\_\_\_ Section 422.7, subsection 39A, unnumbered  
21 paragraph 1, Code 2016, is amended to read as follows:

22 The additional first-year depreciation allowance  
23 authorized in section 168(k) of the Internal Revenue  
24 Code, as enacted by Pub. L. No. 110-185, §103, Pub. L.  
25 No. 111-5, §1201, Pub. L. No. 111-240, §2022, Pub. L.  
26 No. 111-312, §401, Pub. L. No. 112-240, §331, ~~and~~ Pub.  
27 L. No. 113-295, §125, and Pub. L. No. 114-113, §143,  
28 does not apply in computing net income for state tax  
29 purposes. If the taxpayer has taken the additional  
30 first-year depreciation allowance for purposes of  
31 computing federal adjusted gross income, then the  
32 taxpayer shall make the following adjustments to  
33 federal adjusted gross income when computing net income  
34 for state tax purposes:

35 Sec. \_\_\_\_ Section 422.9, subsection 2, paragraph i,

Page 2

1 Code 2016, is amended to read as follows:

2 *i.* The deduction for state sales and use taxes  
3 is allowable only if the taxpayer elected to deduct  
4 the state sales and use taxes in lieu of state income  
5 taxes under section 164 of the Internal Revenue Code.  
6 A deduction for state sales and use taxes is not  
7 allowed if the taxpayer has taken the deduction for  
8 state income taxes or claimed the standard deduction  
9 under section 63 of the Internal Revenue Code. This  
10 paragraph applies to taxable years beginning after  
11 December 31, 2003, and before January 1, 2008, and to  
12 taxable years beginning after December 31, 2009, ~~and~~  
13 ~~before January 1, 2015.~~

14 Sec. \_\_\_\_ Section 422.10, subsection 3, paragraph  
15 b, Code 2016, is amended to read as follows:

16 b. For purposes of this section, “*Internal Revenue*  
17 *Code*” means the Internal Revenue Code in effect on  
18 January 1, ~~2015~~ 2016.

19 Sec. \_\_\_\_ Section 422.32, subsection 1, paragraph  
20 h, Code 2016, is amended to read as follows:

21 h. “*Internal Revenue Code*” means the Internal  
22 Revenue Code of 1954, prior to the date of its  
23 redesignation as the Internal Revenue Code of 1986  
24 by the Tax Reform Act of 1986, or means the Internal  
25 Revenue Code of 1986 as amended to and including  
26 January 1, ~~2015~~ 2016.

27 Sec. \_\_\_\_ Section 422.33, subsection 5, paragraph  
28 e, subparagraph (2), Code 2016, is amended to read as  
29 follows:

30 (2) For purposes of this subsection, “*Internal*  
31 *Revenue Code*” means the Internal Revenue Code in effect  
32 on January 1, ~~2015~~ 2016.

33 Sec. \_\_\_\_ Section 422.35, subsection 19A,  
34 unnumbered paragraph 1, Code 2016, is amended to read  
35 as follows:

Page 3

1 The additional first-year depreciation allowance  
2 authorized in section 168(k) of the Internal Revenue  
3 Code, as enacted by Pub. L. No. 110-185, §103, Pub. L.  
4 No. 111-5, §1201, Pub. L. No. 111-240, §2022, Pub. L.  
5 No. 111-312, §401, Pub. L. No. 112-240, §331, ~~and~~ Pub.  
6 L. No. 113-295, §125, ~~and Pub. L. No. 114-113, §143,~~  
7 does not apply in computing net income for state tax  
8 purposes. If the taxpayer has taken the additional  
9 first-year depreciation allowance for purposes of  
10 computing federal taxable income, then the taxpayer  
11 shall make the following adjustments to federal  
12 taxable income when computing net income for state tax  
13 purposes:

14 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. This division  
15 of this Act, being deemed of immediate importance,  
16 takes effect upon enactment.

17 Sec. \_\_\_\_ RETROACTIVE APPLICABILITY.

18 1. Except as provided in subsection 2, this  
19 division of this Act applies retroactively to January  
20 1, 2015, for tax years beginning on or after that date.

21 2. The sections of this division of this Act  
22 amending sections 422.7 and 422.35 apply retroactively  
23 to January 1, 2015, for tax years ending on or after  
24 that date.>

25 3. Title page, line 1, by striking <temporarily>

26 4. By renumbering as necessary.

**S-5093**HOUSE AMENDMENT TO  
SENATE FILE 2061

1 Amend Senate File 2061, as passed by the Senate, as  
2 follows:  
3 1. Page 1, after line 28 by inserting:  
4 <Sec. \_\_. **NEW SECTION. 815.15 Violations of local**  
5 **ordinances — reimbursement.**  
6 1. If an attorney is appointed in a case to  
7 represent an indigent person for an alleged violation  
8 of a local ordinance that may require a term of  
9 confinement, the office of the state public defender  
10 shall seek reimbursement from the political subdivision  
11 of the state that was the plaintiff in the case for the  
12 compensation paid to and the expenses incurred by the  
13 attorney.  
14 2. A political subdivision of the state shall  
15 reimburse the office of the state public defender for  
16 the compensation and expenses paid from the indigent  
17 defense fund in section 815.11 to an attorney who  
18 represented the indigent person pursuant to subsection  
19 1.>

**S-5094**HOUSE AMENDMENT TO  
SENATE FILE 2258

1 Amend Senate File 2258, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 3, line 31, by striking <six months> and  
4 inserting <thirty days>  
5 2. Page 5, after line 10 by inserting:  
6 <Sec. \_\_. Section 232.68, subsection 2, paragraph  
7 a, subparagraph (3), Code 2016, is amended to read as  
8 follows:  
9 (3) The commission of a sexual offense with or to  
10 a child pursuant to chapter 709, section 726.2, or  
11 section 728.12, subsection 1, as a result of the acts  
12 or omissions of the person responsible for the care of  
13 the child or of a person who resides in a home with the  
14 child. Notwithstanding section 702.5, the commission  
15 of a sexual offense under this subparagraph includes  
16 any sexual offense referred to in this subparagraph  
17 with or to a person under the age of eighteen years.>  
18 3. Page 11, after line 27 by inserting:  
19 <Sec. \_\_. **DRUG ENDANGERED CHILDREN WORKGROUP.**  
20 1. The governor's office of drug control policy  
21 shall convene a stakeholder workgroup to meet during  
22 the 2016 legislative interim to examine issues and

23 develop policy recommendations relating to the  
 24 protection and safety of drug endangered children for  
 25 purposes of child in need of assistance and child abuse  
 26 proceedings. The workgroup shall request relevant  
 27 data and outcome measures relating to drug endangered  
 28 children from workgroup member organizations and from  
 29 state departments and agencies, including but not  
 30 limited to the departments of human services and public  
 31 safety, the juvenile court, the judicial branch, and  
 32 other appropriate organizations. The workgroup shall  
 33 comprehensively review and analyze such information and  
 34 propose a statutory definition of a drug endangered  
 35 child for purposes of child in need of assistance and

Page 2

1 child abuse proceedings.  
 2 2. The workgroup shall be composed of all of the  
 3 following members:  
 4 a. Four members of the general assembly appointed  
 5 to serve in an ex officio, nonvoting capacity. The  
 6 legislative members shall be selected, one member each,  
 7 by the majority leader of the senate, the minority  
 8 leader of the senate, the speaker of the house of  
 9 representatives, and the minority leader of the house  
 10 of representatives.  
 11 b. Fifteen voting members to include all of the  
 12 following:  
 13 (1) One representative from each of the following:  
 14 (a) The division of criminal and juvenile justice  
 15 planning in the department of human rights.  
 16 (b) The department of human services.  
 17 (c) The child advocacy board.  
 18 (d) The department of justice.  
 19 (e) The judicial branch.  
 20 (f) The governor's office of drug control policy.  
 21 (g) The Iowa alliance for drug endangered children.  
 22 (h) The Iowa county attorneys association.  
 23 (i) The Iowa state sheriffs' and deputies'  
 24 association.  
 25 (j) A child welfare service provider group.  
 26 (k) A health care provider group.  
 27 (l) A mental health care provider group.  
 28 (m) A substance abuse provider group.  
 29 (n) A peace officer group.  
 30 (2) A child abuse prevention advocate.  
 31 3. The workgroup shall meet up to two times during  
 32 the 2016 legislative interim and shall submit findings  
 33 and recommendations in a report to the general assembly  
 34 by December 15, 2016.  
 35 4. If possible, workgroup members and workgroup



Page 3

1 member organizations shall pay any costs incurred  
2 by members in attending workgroup meetings. The  
3 governor's office of drug control policy shall not be  
4 responsible for payment of per diem and other expenses  
5 of workgroup members but may pay any additional costs  
6 associated with the workgroup, not to exceed one  
7 thousand dollars, from the operating budget of the  
8 office.  
9 4. By renumbering as necessary.

### S-5095

1 Amend Senate File 2301 as follows:  
2 1. Page 1, after line 17 by inserting:  
3 <Sec. \_\_. Section 422.9, subsection 2, Code 2016,  
4 is amended by adding the following new paragraph:  
5 NEW PARAGRAPH. j. Subtract charitable  
6 contributions under section 170 of the Internal Revenue  
7 Code to the extent such contribution was made to an  
8 organization for the purpose of deposit in the Iowa  
9 education savings plan trust established in chapter  
10 12D, and the taxpayer designated that any part of  
11 the contribution be used for the direct benefit of  
12 any dependent of the taxpayer or any other single  
13 beneficiary designated by the taxpayer.  
14 Sec. \_\_. Section 422.35, Code 2016, is amended by  
15 adding the following new subsection:  
16 NEW SUBSECTION. 13. Add, to the extent it reduced  
17 federal taxable income, any amount contributed under  
18 section 170 of the Internal Revenue Code to the  
19 extent such contribution was made to an organization  
20 for the purpose of deposit in the Iowa education  
21 savings plan trust established in chapter 12D, and the  
22 taxpayer designated that any part of the contribution  
23 be used for the direct benefit of any dependent of  
24 a shareholder of the taxpayer or any other single  
25 beneficiary designated by the taxpayer.>  
26 2. Page 1, after line 19 by inserting:  
27 <Sec. \_\_. RETROACTIVE APPLICABILITY. The  
28 following provision or provisions of this Act apply  
29 retroactively to January 1, 2016, for tax years  
30 beginning on or after that date:  
31 1. The section of this Act amending section 422.9.  
32 2. The section of this Act amending section  
33 422.35.>  
34 3. Title page, line 2, after <date> by inserting  
35 <and retroactive applicability>

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- 1 4. By renumbering as necessary.

JANET PETERSEN

**S-5096**

HOUSE AMENDMENT TO  
SENATE FILE 1

- 1 Amend Senate File 1, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. By striking everything after the enacting clause  
4 and inserting:  
5 <Section 1. Section 8A.311, Code 2016, is amended  
6 by adding the following new subsection:  
7 NEW SUBSECTION. 12A. A department or agency is not  
8 required to comply with section 904.807 or 904.808 if  
9 the department or agency can verify the products are  
10 manufactured within the state.>

**S-5097**

HOUSE AMENDMENT TO  
SENATE FILE 2162

- 1 Amend Senate File 2162, as passed by the Senate, as  
2 follows:  
3 1. Page 2, after line 16 by inserting:  
4 <2A. Rules adopted pursuant to this section shall  
5 provide for the division's acceptance of the filing of  
6 paper documents.>  
7 2. By renumbering, redesignating, and correcting  
8 internal references as necessary.

**S-5098**

HOUSE AMENDMENT TO  
SENATE FILE 2260

- 1 Amend Senate File 2260, as passed by the Senate, as  
2 follows:  
3 1. Page 1, before line 1 by inserting:  
4 <Section 1. Section 22.7, Code 2016, is amended by  
5 adding the following new subsection:  
6 NEW SUBSECTION. 68. Information required to be  
7 provided by a disclosing entity pursuant to 42 C.F.R.  
8 §455.104, pertaining to an individual with an ownership  
9 or control interest who is an officer or director of  
10 a nonprofit corporation.>  
11 2. Page 1, by striking lines 12 through 15 and

12 inserting <or control information from a nonprofit  
 13 corporation. The department of human services may only  
 14 disseminate such ownership or control information to  
 15 a managed care organization if, and only to the extent,  
 16 necessary to ensure compliance with federal law.>

17 3. Page 1, after line 15 by inserting:

18 <Sec. \_\_. EFFECTIVE UPON ENACTMENT. This Act,  
 19 being deemed of immediate importance, takes effect upon  
 20 enactment.>

21 4. Title page, line 3, after <program> by inserting  
 22 <, and including effective date provisions>

23 5. By renumbering as necessary.

### S-5099

1 Amend the amendment, S-5077, to House File 2324,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:

4 1. Page 1, by striking lines 20 and 21 and  
 5 inserting:

6 <\_\_. Page 1, by striking lines 26 and 27 and  
 7 inserting:

8 <e. Guidelines for creating a career pathway in  
 9 computer science consistent with the career planning  
 10 activities provided pursuant to section 279.61, with  
 11 an appropriate>>

HERMAN C. QUIRMBACH

### S-5100

#### HOUSE AMENDMENT TO SENATE FILE 503

1 Amend Senate File 503, as passed by the Senate, as  
 2 follows:

3 1. Page 1, line 1, by striking <2015> and inserting  
 4 <2016>

5 2. Page 1, line 22, by striking <paragraph> and  
 6 inserting <subsection>

### S-5101

#### HOUSE AMENDMENT TO SENATE FILE 2233

1 Amend Senate File 2233, as amended, passed, and  
 2 reprinted by the Senate, as follows:

3 1. Page 6, by striking lines 12 through 15 and  
 4 inserting <determining the best interest of the child.>

5 2. Page 9, line 10, by striking <522.> and  
 6 inserting <522 or the Iowa national guard civil relief

- 7 provisions contained in chapter 29A, subchapter VI.  
 8 A court shall not issue a temporary order granting  
 9 custodial responsibility without notice to the  
 10 deploying parent.>  
 11 3. Page 12, line 11, by striking <shall> and  
 12 inserting <may>  
 13 4. Page 13, by striking lines 19 through 21 and  
 14 inserting <temporary order is terminated, unless it  
 15 is contrary to the best interest of the child, which  
 16 may include additional contact time to compensate for  
 17 contact time lost during deployment.>  
 18 5. Page 14, line 2, after <522> by inserting  
 19 <and the Iowa national guard civil relief provisions  
 20 contained in chapter 29A, subchapter VI>  
 21 6. Page 14, by striking lines 11 and 12 and  
 22 inserting:  
 23 <2. The court may appoint a guardian ad litem  
 24 or an attorney to represent the best interest of the  
 25 child or may require an appropriate agency to make an  
 26 investigation of the parties as provided in section  
 27 598.12.>  
 28 7. Page 15, line 24, by striking <shall> and  
 29 inserting <may>  
 30 8. Page 15, by striking lines 26 through 28 and  
 31 inserting <best interest of the child, which may  
 32 include additional contact time to compensate for  
 33 contact time lost during deployment.>  
 34 9. By renumbering as necessary.

**S-5102**

HOUSE AMENDMENT TO  
 SENATE FILE 453

- 1 Amend Senate File 453, as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, line 2, by striking <2015> and inserting  
 4 <2016>  
 5 2. Page 1, line 31, by striking <2015> and  
 6 inserting <2016>  
 7 3. Page 1, line 32, by striking <subsection> and  
 8 inserting <subsections>  
 9 4. Page 1, before line 33 by inserting:  
 10 <NEW SUBSECTION. 24A. "Managing pharmacy" means  
 11 a licensed pharmacy that oversees the activities of a  
 12 telepharmacy site.>  
 13 5. Page 2, before line 1 by inserting:  
 14 <NEW SUBSECTION. 40B. "Telepharmacy site" means  
 15 a licensed pharmacy that is operated by a managing  
 16 pharmacy and staffed by one or more qualified certified  
 17 pharmacy technicians where pharmaceutical care  
 18 services, including the storage and dispensing of

19 prescription drugs, drug regimen review, and patient  
20 counseling, are provided by a licensed pharmacist  
21 through the use of technology.

22 Sec. \_\_\_\_ Section 155A.13, subsection 3, Code 2016,  
23 is amended to read as follows:

24 3. a. The board may issue a special or limited-use  
25 pharmacy license based upon special conditions of  
26 use imposed pursuant to rules adopted by the board  
27 for cases in which the board determines that certain  
28 requirements may be waived.

29 b. The board shall adopt rules for the issuance  
30 of a special or limited-use pharmacy license to a  
31 telepharmacy site. The rules shall address:

32 (1) Requirements for establishment and operation  
33 of a telepharmacy site, including but not limited  
34 to physical requirements and required policies and  
35 procedures.

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1 (2) Requirements for being a managing pharmacy.

2 (3) Requirements governing operating agreements  
3 between telepharmacy sites and managing pharmacies.

4 (4) Training and experience required for certified  
5 pharmacy technicians working at a telepharmacy site.

6 (5) Requirements for a pharmacist providing  
7 services to and supervising a telepharmacy site.

8 (6) Any other health and safety concerns associated  
9 with a telepharmacy site.

10 c. The board shall not issue a special or  
11 limited-use pharmacy license to a proposed telepharmacy  
12 site if a licensed pharmacy that dispenses prescription  
13 drugs to outpatients is located within ten miles of  
14 the proposed telepharmacy site unless the proposed  
15 telepharmacy site is located on property owned,  
16 operated, or leased by the state or unless the proposed  
17 telepharmacy site is located within a hospital campus  
18 and is limited to inpatient dispensing. The mileage  
19 requirement does not apply to a telepharmacy site that  
20 has been approved by the board and is operating as a  
21 telepharmacy prior to July 1, 2016.

22 d. An applicant seeking a special or limited-use  
23 pharmacy licensed for a proposed telepharmacy site that  
24 does not meet the mileage requirement established in  
25 paragraph "c" and is not statutorily exempt from the  
26 mileage requirement may apply to the board for a waiver  
27 of the mileage requirement. A waiver request shall  
28 only be granted if the applicant can demonstrate to the  
29 board that the proposed telepharmacy site is located  
30 in an area where there is limited access to pharmacy  
31 services and can establish the existence of compelling  
32 circumstances that justify waiving the mileage

33 requirement. The board's decision to grant or deny a  
 34 waiver request shall be a proposed decision subject to  
 35 mandatory review by the director of the department of

Page 3

1 public health. The director shall review a proposed  
 2 decision and shall have the power to approve, modify,  
 3 or veto a proposed decision. The director's decision  
 4 on a waiver request shall be considered final agency  
 5 action subject to judicial review under chapter 17A.  
 6 e. The board shall issue a special or limited-use  
 7 pharmacy license to a telepharmacy site that meets the  
 8 minimum requirements established by the board by rule.>  
 9 6. Page 2, line 1, by striking <2015> and inserting  
 10 <2016>  
 11 7. Page 7, line 22, by striking <2015> and  
 12 inserting <2016>  
 13 8. Page 8, line 3, by striking <2015> and inserting  
 14 <2016>  
 15 9. By renumbering as necessary.

**S-5103**

HOUSE AMENDMENT TO  
 SENATE FILE 2205

1 Amend Senate File 2205, as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, before line 1 by inserting:  
 4 Section 1. Section 282.1, Code 2016, is amended by  
 5 adding the following new subsection:  
 6 **NEW SUBSECTION.** 3. For purposes of this section,  
 7 "*resident*" shall include a child who is physically  
 8 present in a district and is in the district for the  
 9 purpose of participating in a regionally, state, or  
 10 nationally recognized athletic league if the child  
 11 provides the district with a written certification from  
 12 the athletic league that the child is participating in  
 13 the athletic league or will participate in the current  
 14 or following school year.>  
 15 2. Page 2, by striking lines 5 through 9 and  
 16 inserting:  
 17 <Sec. \_\_. EFFECTIVE UPON ENACTMENT. The section  
 18 of this Act amending section 282.18, subsection 11,  
 19 takes effect upon enactment.  
 20 Sec. \_\_. RETROACTIVE APPLICABILITY. The section  
 21 of this Act amending section 282.18, subsection 11,  
 22 applies retroactively to July 1, 2015, for school  
 23 calendars beginning on or after that date.>  
 24 3. Title page, line 1, before <varsity> by

25 inserting <school district residency for children  
 26 participating in athletic leagues and>  
 27 4. By renumbering as necessary.

**S-5104**

HOUSE AMENDMENT TO  
 SENATE FILE 2228

1 Amend Senate File 2228, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 1, after line 25 by inserting:  
 4 <Sec. \_\_\_. Section 322.2, subsection 7, Code 2016,  
 5 is amended to read as follows:  
 6 7. "*Engaged in the business*" means doing any of the  
 7 following acts for the purpose of the sale of motor  
 8 vehicles at retail: acquiring, selling, exchanging,  
 9 holding, offering, displaying, brokering, accepting on  
 10 consignment, conducting a retail auction, advertising  
 11 as being engaged in any of those acts, or acting as an  
 12 agent for the purpose of doing any of those acts. A  
 13 person selling at retail more than six motor vehicles  
 14 during a twelve-month period may be presumed to be  
 15 engaged in the business.  
 16 Sec. \_\_\_. Section 322.3, subsection 3, Code 2016,  
 17 is amended to read as follows:  
 18 3. Subsections 1, ~~and 2,~~ and 16 shall not be  
 19 construed to require the separate licensing of persons  
 20 employed as salespersons of motor vehicles by a retail  
 21 motor vehicle dealer. However, the department may  
 22 promulgate reasonable rules as necessary for the proper  
 23 identification of persons employed as salespersons.  
 24 Sec. \_\_\_. Section 322.3, subsection 12, Code 2016,  
 25 is amended to read as follows:  
 26 12. A person who has been convicted of a fraudulent  
 27 practice, has been convicted of three or more  
 28 violations of section 321.92, subsection 2, or section  
 29 321.99, has been convicted of three or more violations  
 30 of subsection 16 of this section in the previous  
 31 three-year period, or has been convicted of any other  
 32 indictable offense in connection with selling or other  
 33 activity relating to motor vehicles, in this state or  
 34 any other state, shall not for a period of five years  
 35 from the date of conviction be an owner, salesperson,

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1 employee, officer of a corporation, or representative  
 2 of a licensed motor vehicle dealer or represent  
 3 themselves as an owner, salesperson, employee, officer  
 4 of a corporation, or representative of a licensed motor  
 5 vehicle dealer.

- 6 Sec. \_\_\_\_ Section 322.3, Code 2016, is amended by  
 7 adding the following new subsection:  
 8 NEW SUBSECTION. 16. A motor vehicle dealer or  
 9 wholesaler licensed under this chapter shall not sell,  
 10 loan, rent, lease, or charge a fee for the use of the  
 11 license to another person for the purpose of allowing  
 12 the person to engage in the business of selling motor  
 13 vehicles.>  
 14 2. Page 3, lines 5 and 6, by striking <included in  
 15 any retail installment contract> and inserting <clearly  
 16 and conspicuously disclosed in any motor vehicle  
 17 purchase agreement>  
 18 3. Title page, line 1, after <dealers> by inserting  
 19 <and wholesalers>  
 20 4. Title page, line 4, after <title,> by inserting  
 21 <the use of licenses and advertisements,>  
 22 5. Title page, line 5, by striking <a penalty> and  
 23 inserting <penalties>  
 24 6. By renumbering as necessary.

**S-5105**

HOUSE AMENDMENT TO  
 SENATE FILE 2273

- 1 Amend Senate File 2273, as passed by the Senate, as  
 2 follows:  
 3 1. By striking everything after the enacting clause  
 4 and inserting:  
 5 <Section 1. Section 10A.104, subsection 12, Code  
 6 2016, is amended to read as follows:  
 7 12. Administer inspections and licensing of hotels  
 8 and home ~~food establishments~~ bakeries.  
 9 Sec. 2. Section 137D.1, subsections 3 and 4, Code  
 10 2016, are amended to read as follows:  
 11 3. ~~“Home food establishment”~~ “Home bakery” means  
 12 a business on the premises of a residence in which  
 13 prepared food is created for sale or resale, for  
 14 consumption off the premises, if the business has  
 15 gross annual sales of prepared food of less than  
 16 ~~twenty~~ thirty-five thousand dollars. However, ~~a home~~  
 17 ~~food establishment~~ “home bakery” does not include a  
 18 residence in which food is prepared to be used or  
 19 sold by churches, fraternal societies, charitable  
 20 organizations, or civic organizations.  
 21 4. “Prepared food” means soft pies, bakery  
 22 products with a custard or cream filling, or ~~any~~  
 23 ~~other potentially hazardous~~ baked goods that are a  
 24 time/temperature control for safety food. “Prepared  
 25 food” does not ~~mean nonhazardous~~ include baked goods  
 26 that are not a time/temperature control for safety  
 27 food, including but not limited to breads, fruit pies,



28 cakes, or other ~~nonhazardous~~ pastries that are not a  
29 time/temperature control for safety food.

30 Sec. 3. Section 137D.1, Code 2016, is amended by  
31 adding the following new subsection:

32 **NEW SUBSECTION.** 5. *“Time/temperature control*  
33 *for safety food”* means a food that requires time and  
34 temperature controls for safety to limit pathogenic  
35 microorganism growth or toxin formation.

Page 2

1 Sec. 4. Section 137D.2, Code 2016, is amended to  
2 read as follows:

3 **137D.2 Licenses and inspections.**

4 1. A person shall not open or operate a home ~~food~~  
5 ~~establishment~~ bakery until a license has been obtained  
6 from the department of inspections and appeals.

7 The department shall collect a fee of thirty-three  
8 dollars and seventy-five cents for a license. After  
9 collection, the fees shall be deposited in the general  
10 fund of the state. A license shall expire one year  
11 from date of issue. A license is renewable.

12 2. A person shall not sell or distribute from  
13 a home ~~food establishment~~ bakery if the home ~~food~~  
14 ~~establishment~~ bakery is unlicensed, the license of the  
15 home ~~food establishment~~ bakery is suspended, or the  
16 food fails to meet standards adopted for such food by  
17 the department.

18 3. An application for a license under this chapter  
19 shall be made upon a form furnished by the department  
20 and shall contain the items required by it according to  
21 rules adopted by the department.

22 4. The department shall regulate, license, and  
23 inspect home ~~food establishments~~ bakeries according to  
24 standards adopted by rule.

25 5. The department shall provide for the periodic  
26 inspection of a home ~~food establishment~~ bakery. The  
27 inspector may enter the home ~~food establishment~~ bakery  
28 at any reasonable hour to make the inspection. The  
29 department shall inspect only those areas related to  
30 preparing food for sale.

31 6. The department shall regulate and inspect food  
32 prepared at a home ~~food establishment~~ bakery according  
33 to standards adopted by rule. The inspection may  
34 occur at any place where the prepared food is created,  
35 transported, or stored for sale or resale.

Page 3

1 Sec. 5. Section 137D.3, Code 2016, is amended to  
2 read as follows:

3 **137D.3 Penalty.**

4 A person who violates a provision of this chapter,  
5 including a standard adopted by departmental rule,  
6 relating to home ~~food establishments~~ bakeries or  
7 prepared foods created in a home ~~food establishment~~  
8 bakery, is guilty of a simple misdemeanor. Each day  
9 that the violation continues constitutes a separate  
10 offense.

11 Sec. 6. Section 137D.4, Code 2016, is amended to  
12 read as follows:

13 **137D.4 Injunction.**

14 A person operating a home ~~food establishment~~  
15 bakery or selling prepared foods created at a home  
16 ~~food establishment~~ bakery in violation of a provision  
17 of this chapter may be restrained by injunction  
18 from further operating that home ~~food establishment~~  
19 bakery. If an imminent health hazard exists, the  
20 home ~~food establishment~~ bakery must cease operation.  
21 Operation shall not be resumed until authorized by the  
22 department.

23 Sec. 7. Section 137D.6, Code 2016, is amended to  
24 read as follows:

25 **137D.6 Conflicts with state building code.**

26 Provisions of this chapter, including standards  
27 for home ~~food establishments~~ bakeries adopted by the  
28 department, in conflict with the state building code,  
29 as adopted pursuant to section 103A.7, shall not apply  
30 where the state building code has been adopted or when  
31 the state building code applies throughout the state.

32 Sec. 8. Section 137D.8, subsections 1 and 3, Code  
33 2016, are amended to read as follows:

34 1. The person's home ~~food establishment~~ bakery does  
35 not conform to a provision of this chapter or a rule

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1 adopted pursuant to this chapter.

2 3. The person conducts an activity constituting a  
3 criminal offense in the home ~~food establishment~~ bakery  
4 and is convicted of a serious misdemeanor or a more  
5 serious offense as a result.

6 Sec. 9. Section 137F.1, subsection 7, paragraph d,  
7 Code 2016, is amended to read as follows:

8 d. Premises which are a home ~~food establishment~~  
9 bakery pursuant to chapter 137D.>

10 2. Title page, by striking lines 1 through 3 and  
11 inserting <An Act relating to licensure of home food  
12 establishments.>

## S-5106

HOUSE AMENDMENT TO  
SENATE FILE 2185

- 1 Amend Senate File 2185, as passed by the Senate, as  
2 follows:
- 3 1. Page 1, before line 1 by inserting:  
4 Section 1. Section 709.21, subsection 3, Code  
5 2015, is amended to read as follows:  
6 3. A person who violates this section commits a  
7 ~~serious~~ an aggravated misdemeanor.>  
8 2. Page 1, before line 1 by inserting:  
9 <Section 1. NEW SECTION. 702.25 Film.  
10 "*Film*" means capturing moving images upon a  
11 membrane or other thin flexible material coated with  
12 light sensitive emulsion; capturing moving images  
13 electronically or digitally in such a manner that the  
14 images are stored by a computer or other electronic  
15 device; or receiving moving images in a continuous  
16 flow.  
17 Sec. \_\_\_\_ Section 716.7, subsection 1, Code 2016,  
18 is amended by adding the following new paragraph:  
19 NEW PARAGRAPH. f. "*Reasonable expectation of*  
20 *privacy*" means circumstances in which a reasonable  
21 person would believe that the person could disrobe or  
22 partially disrobe in privacy, without being concerned  
23 that the person disrobing or partially disrobing was  
24 being viewed, photographed, or filmed when doing so.>  
25 3. Title page, line 3, by striking <providing  
26 penalties> and inserting <modifying penalties for  
27 invasion of privacy>  
28 4. By renumbering as necessary.

## S-5107

HOUSE AMENDMENT TO  
SENATE FILE 2109

- 1 Amend Senate File 2109, as passed by the Senate, as  
2 follows:
- 3 1. Page 1, line 11, by striking <80,000,000> and  
4 inserting <67,000,000>  
5 2. Page 3, line 7, by striking <610,039> and  
6 inserting <450,000>  
7 3. By striking page 3, line 16, through page 4,  
8 line 34.  
9 4. Title page, line 3, by striking <making standing  
10 appropriations,>

**S-5108**HOUSE AMENDMENT TO  
SENATE FILE 2219

- 1 Amend Senate File 2219, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 15, by striking <2017> and
- 4 inserting <2018>

**S-5109**

- 1 Amend Senate File 2291 as follows:
- 2 1. Page 1, before line 1 by inserting:
- 3 <Section 1. Section 16.91, subsection 3, Code 2016,
- 4 is amended to read as follows:
- 5 3. With the approval of the authority board the
- 6 division and its board shall consult with the insurance
- 7 division of the department of commerce in developing
- 8 a guaranty contract acceptable to the secondary
- 9 market and developing any other feature of the program
- 10 with which the insurance division may have special
- 11 expertise. ~~The insurance division shall establish the~~
- 12 ~~amount for a loss reserve fund.~~ Except as provided in
- 13 this subsection, the Iowa title guaranty program is not
- 14 subject to the jurisdiction of or regulation by the
- 15 insurance division or the commissioner of insurance.>
- 16 2. By striking page 2, line 17, through page 3,
- 17 line 22.
- 18 3. Page 11, by striking lines 17 through 21.
- 19 4. Title page, line 3, by striking <and
- 20 applicability dates>
- 21 5. By renumbering as necessary.

CHAZ ALLEN

**S-5110**

- 1 Amend the House amendment, S-5102, to Senate File
- 2 453, as passed by the Senate, as follows:
- 3 1. Page 2, line 13, by striking <ten miles> and
- 4 inserting <a ten-mile radius>

WILLIAM A. DOTZLER, JR.

**S-5111**

- 1 Amend Senate File 2188 as follows:
- 2 1. Page 2, by striking lines 27 through 31 and
- 3 inserting:
- 4 <The board of medicine shall, in consultation with

5 the board of psychology, establish by rule all of the  
6 following:

7 1. Specific minimum standards for the appropriate  
8 supervision of a psychologist prescribing medication  
9 pursuant to a conditional prescription certificate  
10 under chapter 154B. Such standards shall include  
11 requiring a physician serving as a supervising  
12 licensed physician to notify the board of medicine  
13 of the identity of the psychologist the physician  
14 is supervising and any change in the status of the  
15 supervisory relationship.

16 2. The process for initiating and conducting  
17 disciplinary proceedings under chapter 17A if a  
18 licensed physician fails to adequately supervise a  
19 psychologist prescribing psychotropic medications  
20 pursuant to a prescription certificate under  
21 chapter 154B. The rule shall take into account  
22 the deliberations of the board in making such a  
23 determination.>

24 2. Page 3, line 8, after <practice.> by inserting  
25 <The practice guidelines may include limitations  
26 on the prescribing of psychotropic medications by  
27 psychologists and protocols for prescribing to special  
28 populations including patients who are less than  
29 seventeen years of age or over sixty-five years of  
30 age, patients who are pregnant, and patients with  
31 serious medical conditions including but not limited to  
32 heart disease, cancer, stroke, seizures, and patients  
33 with developmental disabilities and intellectual  
34 disabilities.>

35 3. Page 5, by striking lines 1 through 11 and

Page 2

1 inserting:

2 <d. Within five years immediately preceding  
3 the date of application, successfully completed a  
4 post-doctoral master of science degree in clinical  
5 psychopharmacology approved by the board of psychology.  
6 The program shall at a minimum include coursework  
7 in neuroscience, pharmacology, psychopharmacology,  
8 physiology, and appropriate and relevant physical and  
9 laboratory assessments.>

10 4. Page 8, by striking lines 13 through 33 and  
11 inserting:

12 <1. The board shall, in consultation with the board  
13 of medicine, adopt rules to carry out the provisions  
14 of this chapter relating to prescribing psychologists.  
15 The rules shall include but not be limited to all of  
16 the following:

17 a. Procedures to obtain a conditional prescription  
18 certificate, a prescription certificate, and a renewal

19 of a prescription certificate. The board may set  
 20 reasonable application and renewal fees.  
 21 *b.* Grounds for the denial, suspension, or  
 22 revocation of a conditional prescription certificate  
 23 and a prescription certificate, including a provision  
 24 for suspension or revocation of a license to  
 25 practice psychology upon suspension of a conditional  
 26 prescription certificate and a prescription  
 27 certificate.  
 28 *c.* The provision of an annual list of psychologists  
 29 with prescription certificates and psychologists with  
 30 conditional prescription certificates that contains  
 31 the information agreed to between the board and the  
 32 board of medicine. The board shall promptly notify the  
 33 board of medicine of psychologists who are added to or  
 34 removed from the list.  
 35 *d.* Any other rules necessary for the administration

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1 of this chapter.  
 2 2. The board shall appoint a prescribing  
 3 psychologist rules subcommittee comprised of a  
 4 psychologist appointed by the board, a physician  
 5 appointed by the board of medicine, and a member of the  
 6 public appointed by the director of public health to  
 7 develop rules for consideration by the board pursuant  
 8 to this section.>

JOE BOLKCOM  
 DAVID JOHNSON  
 ROBERT E. DVORSKY

**S-5112**

1 Amend the House amendment, S-5093, to Senate File  
 2 2061, as passed by the Senate, as follows:  
 3 1. Page 1, before line 3 by inserting:  
 4 <\_\_. Page 1, after line 18 by inserting:  
 5 <Sec. \_\_. Section 331.322, subsection 16, Code  
 6 2016, is amended by striking the subsection.  
 7 Sec. \_\_. Section 331.502, subsection 34, Code  
 8 2016, is amended by striking the subsection.  
 9 Sec. \_\_. Section 331.653, subsection 43, Code  
 10 2016, is amended by striking the subsection.  
 11 Sec. \_\_. Section 602.1209, Code 2016, is amended  
 12 by adding the following new subsection:  
 13 NEW SUBSECTION. 16A. Carry out duties relating to  
 14 the selection of jurors as provided in chapter 607A.  
 15 Sec. \_\_. Section 602.1303, subsection 3, Code  
 16 2016, is amended by striking the subsection.  
 17 Sec. \_\_. Section 602.8102, subsection 91, Code  
 18 2016, is amended by striking the subsection.

19 Sec. \_\_\_\_ Section 607A.3, Code 2016, is amended by  
 20 adding the following new subsections:  
 21 NEW SUBSECTION. 2A. “Electronic data processing  
 22 system” means an electronic jury management system as  
 23 designated by the state court administrator.  
 24 NEW SUBSECTION. 3A. “Jury pool” means the sum  
 25 total of prospective jurors reporting for service and  
 26 not drawn or assigned to a courtroom, judge, or trial.  
 27 Sec. \_\_\_\_ Section 607A.3, subsections 5, 6, 10, 11,  
 28 and 13, Code 2016, are amended to read as follows:  
 29 5. “Master jury list” means the list of names taken  
 30 from the source lists for possible jury service.  
 31 6. “Motor vehicle operators list and nonoperators  
 32 identification list” means the official records  
 33 maintained by the state of the names and addresses of  
 34 those individuals in the respective counties retaining  
 35 valid motor vehicle ~~operator’s~~ driver’s licenses

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1 ~~on or before March 15 of each odd numbered year or~~  
 2 ~~nonoperator’s identification cards.~~  
 3 10. “Random selection identification” means the  
 4 selection of names in a manner immune to any subjective  
 5 bias so that no recognizable class of the population  
 6 from which names are being selected can be purposefully  
 7 included or excluded.  
 8 11. “Source lists” means the voter registration  
 9 list, the motor vehicle operators list, ~~the~~  
 10 ~~nonoperators identification list,~~ and other  
 11 comprehensive lists of persons residing in a county as  
 12 identified pursuant to section 607A.22.  
 13 13. “Voter registration list” means the official  
 14 records maintained by the state of names and addresses  
 15 of persons registered to vote ~~on or before March 15 of~~  
 16 ~~each odd numbered year.~~  
 17 Sec. \_\_\_\_ Section 607A.3, subsection 9, Code 2016,  
 18 is amended by striking the subsection.  
 19 Sec. \_\_\_\_ Section 607A.20, Code 2016, is amended to  
 20 read as follows:  
 21 **607A.20 Jury manager.**  
 22 ~~If the chief judge of the judicial district uses~~  
 23 ~~electronic data processing techniques and equipment for~~  
 24 ~~the drawing of jurors in lieu of a jury commission,~~  
 25 ~~the The chief judge of the judicial district shall,~~  
 26 ~~after consultation with the clerk, district court~~  
 27 ~~administrator and county auditor, appoint an individual~~  
 28 to serve as the jury manager for ~~the each county in~~  
 29 ~~that district. The A~~ jury manager shall be responsible  
 30 for the implementation of this chapter for the jury  
 31 manager’s county and shall assist the state court  
 32 administrator in implementing this chapter. The A

33 jury manager shall ~~update the master list from the~~  
 34 ~~source lists at least once every two years beginning~~  
 35 ~~January 1 after the general election is held~~ retain

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1 proper records to document, as directed by the chief  
 2 judge or state court administrator, that the procedures  
 3 used to randomly identify prospective jurors meet the  
 4 requirements of this chapter.

5 Sec. \_\_\_. Section 607A.21, Code 2016, is amended by  
 6 striking the section and inserting in lieu thereof the  
 7 following:

8 **607A.21 Master jury list.**

9 The electronic data processing system shall create a  
 10 master jury list by merging all of the names from the  
 11 source lists and removing duplicative entries. The  
 12 state court administrator shall ensure the electronic  
 13 data processing system updates the master jury lists  
 14 from the source list at least once every year. The  
 15 names entered in the master jury lists constitute the  
 16 grand and petit master jury lists, from which grand and  
 17 petit jurors shall be drawn.

18 Sec. \_\_\_. Section 607A.22, Code 2016, is amended to  
 19 read as follows:

20 **607A.22 Use of source lists — information provided.**

21 1. The ~~appointive jury commission or the jury~~  
 22 ~~manager state court administrator shall use both of~~  
 23 ensure the following source lists in are merged in the  
 24 electronic data processing system when preparing grand  
 25 and petit master jury lists:

26 a. The current voter registration list.  
 27 b. The current motor vehicle operators list and  
 28 nonoperators identification list.

29 2. ~~The appointive jury commission or the A~~ jury  
 30 manager may use any other current comprehensive list  
 31 of persons residing in the county, ~~including but not~~  
 32 ~~limited to the lists of public utility customers,~~  
 33 which the ~~appointive jury commission or jury manager~~  
 34 determines are useable for the purpose of a juror  
 35 source list.

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1 3. The applicable state and local government  
 2 officials shall furnish, upon request, the ~~appointive~~  
 3 ~~jury commission or state court administrator or~~  
 4 the jury manager with copies of lists necessary for  
 5 the formulation of source lists at no cost ~~to the~~  
 6 ~~commission, manager, or county.~~

7 4. ~~The jury manager or jury commission may~~  
 8 ~~request a consolidated source list. A consolidated~~



9 source list contains all the names and addresses  
 10 found in either the voter registration list or the  
 11 motor vehicle operators list, but does not duplicate  
 12 an individual's name within the consolidated list.  
 13 State officials shall cooperate with one another to  
 14 prepare consolidated lists. The jury manager or jury  
 15 commission may further request that only a randomly  
 16 chosen portion of the consolidated list be prepared  
 17 which may consist of either a certain number of  
 18 names or a certain percentage of all the names in the  
 19 consolidated list, as specified by the jury manager or  
 20 jury commission.

21 Sec. \_\_\_\_ Section 607A.25, Code 2016, is amended by  
 22 striking the section and inserting in lieu thereof the  
 23 following:

24 **607A.25 Storing and security of master jury lists.**

25 The master jury lists shall be stored in the  
 26 electronic data processing system, and shall be  
 27 accessible to only the state court administrator or  
 28 state court administrator's designee, or the jury  
 29 manager or jury manager's designee.

30 Sec. \_\_\_\_ Section 607A.26, Code 2016, is amended to  
 31 read as follows:

32 **607A.26 Preservation of records.**

33 The clerk or jury manager shall preserve all records  
 34 and lists compiled and maintained in connection with  
 35 the ~~selection~~ identification and service of jurors

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1 for four years, or for any longer period ordered by  
 2 the state court administrator or chief judge of the  
 3 judicial district.

4 Sec. \_\_\_\_ Section 607A.30, Code 2016, is amended to  
 5 read as follows:

6 **607A.30 Time of drawing Drawing of jury pools.**

7 In counties using an ex officio jury commission,  
 8 the required number of jurors shall be drawn by the  
 9 commission, or a majority of its members, at the office  
 10 of the clerk at a time agreed to by the commissioners.

11 1. In counties using a jury manager, the At times  
 12 necessary for drawing grand and petit jurors, the jury  
 13 manager shall arrange for the selection of the required  
 14 electronic data processing system to draw the necessary  
 15 number of grand and petit jurors at a time and place  
 16 chosen by the manager from the master jury list.

17 2. The chief judge of the judicial district may  
 18 by order prescribe the time for the drawing by the ex  
 19 officio commission or the jury manager.

20 3. The jurors thus selected identified constitute  
 21 the jury pool and shall be notified by the clerk or  
 22 jury manager by regular mail when called.

23 Sec. \_\_\_\_ Section 607A.33, Code 2016, is amended by  
 24 striking the section and inserting in lieu thereof the  
 25 following:  
 26 **607A.33 Electronic data processing — identifying**  
 27 **jurors.**  
 28 The designated electronic data processing system  
 29 shall be used for the random drawing of the number of  
 30 jurors needed.  
 31 Sec. \_\_\_\_ Section 607A.35, Code 2016, is amended to  
 32 read as follows:  
 33 **607A.35 Filing list — notice Notice to report.**  
 34 After the list or lists have been drawn in the  
 35 manner provided in section 607A.33, ~~the list or lists~~

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1 ~~shall be filed in the office of the clerk or jury~~  
 2 ~~manager~~ and immediately upon the request of the court,  
 3 the clerk ~~or manager~~ shall issue a notice to report,  
 4 by regular mail, to the persons so drawn to appear at  
 5 the courthouse at times as the court prescribes, for  
 6 service as petit or grand jurors.  
 7 Sec. \_\_\_\_ Section 607A.37, Code 2016, is amended to  
 8 read as follows:  
 9 **607A.37 Cancellation for illegality.**  
 10 If the court determines that the petit or grand  
 11 jurors have been illegally selected, drawn, or notified  
 12 to report, the court may set aside the order under  
 13 which the jurors were notified and direct that a new  
 14 drawing, selection and notification of a sufficient  
 15 number of replacement jurors take place. ~~In that~~  
 16 ~~case, the ex officio jury commission shall meet at the~~  
 17 ~~office of the clerk, at the time the court directs,~~  
 18 ~~and proceed in the manner provided for the drawing of~~  
 19 ~~the original panel, to draw the required number of~~  
 20 ~~replacement jurors.~~  
 21 Sec. \_\_\_\_ Section 607A.39, Code 2016, is amended to  
 22 read as follows:  
 23 **607A.39 Additional jurors.**  
 24 The court may order as many additional jurors drawn  
 25 for a jury pool or panel as the court deems necessary.  
 26 Sec. \_\_\_\_ Section 607A.41, Code 2016, is amended to  
 27 read as follows:  
 28 **607A.41 Method of subsequent drawing.**  
 29 The names of the jurors drawn under sections 607A.39  
 30 and 607A.40 shall be drawn by the ~~ex officio commission~~  
 31 ~~or the jury manager in the manner provided for the~~  
 32 ~~drawing of an original pool or panel~~ electronic data  
 33 processing system that was used to draw the original  
 34 jury pool or panel.  
 35 Sec. \_\_\_\_ Section 607A.43, Code 2016, is amended to

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1 read as follows:

2 **607A.43 Correcting illegality in original lists.**

3 If the court for any reason determines that there  
4 has been such substantial failure to comply with  
5 the law relative to ~~selection jury identification,~~  
6 preparation, or return of grand or petit lists that  
7 lawful grand or petit jurors cannot be drawn, or that  
8 the lists are exhausted or insufficient for the needs  
9 of the court, the court shall order ~~the ex officio~~  
10 ~~jury commission or the jury manager or state court~~  
11 ~~administrator to convene at a fixed time and place~~  
12 ~~use electronic data processing techniques~~ to prepare  
13 lists in lieu of the lists which have been found to be  
14 illegal, or an additional list or lists as the court  
15 deems necessary.>>

16 2. Page 1, after line 19 by inserting:

17 <Sec. \_\_. REPEAL. Sections 607A.9, 607A.10,  
18 607A.11, 607A.12, 607A.13, 607A.14, 607A.15, 607A.16,  
19 607A.17, 607A.18, 607A.19, 607A.24, 607A.27, 607A.28,  
20 607A.31, 607A.32, 607A.34, 607A.42, and 607A.44, Code  
21 2016, are repealed.

22 \_\_. Title page, line 2, after <proceedings> by  
23 inserting <, the updating of the master list for juror  
24 service, and the elimination of jury commissions>>

25 3. By renumbering as necessary.

TONY BISIGNANO

## S-5113

1 Amend the amendment, S-5084, to House File 2399,  
2 as amended, passed, and reprinted by the House, as  
3 follows:

4 1. By striking page 1, line 5, through page 4, line  
5 10, and inserting:

6 <<Section 1. Section 664A.7, subsection 5, Code  
7 2016, is amended to read as follows:

8 5. a. Violation of a no-contact order entered  
9 for the offense or alleged offense of domestic abuse  
10 assault in violation of section 708.2A or a violation  
11 of a protective order issued pursuant to chapter 232,  
12 235F, 236, 598, or 915 constitutes a public offense and  
13 is punishable as a simple misdemeanor. Alternatively,  
14 the court may hold a person in contempt of court for  
15 such a violation, as provided in subsection 3.

16 b. If a person is convicted of a violation of a  
17 no-contact order or a protective order under this  
18 subsection, or alternatively if the person is held in  
19 contempt of court for such a violation, as provided  
20 in subsection 3, the court shall order the person to  
21 submit to a risk assessment pursuant to section 901.5C.

22 Sec. 2. Section 708.2A, subsection 1, Code 2016, is  
23 amended to read as follows:

24 1. For the purposes of this chapter, “*domestic*  
25 *abuse assault*” means an assault, as defined in section  
26 708.1, which is domestic abuse as defined in section  
27 236.2, subsection 2, paragraph “*a*”, “*b*”, “*c*”, ~~“*d*”~~  
28 or “*e*”.

29 Sec. 3. Section 708.2A, subsection 7, paragraph b,  
30 Code 2016, is amended by striking the paragraph and  
31 inserting in lieu thereof the following:

32 *b.* A person convicted of a violation referred to  
33 in subsection 4 shall be sentenced as provided under  
34 section 902.13.

35 Sec. 4. Section 708.2B, Code 2016, is amended to

Page 2

1 read as follows:

2 **708.2B Treatment of domestic abuse offenders.**

3 1. As used in this section, “*district department*”  
4 means a judicial district department of correctional  
5 services, established pursuant to section 905.2. A  
6 person convicted of, or receiving a deferred judgment  
7 for, domestic abuse assault as defined in section  
8 708.2A, shall report to the district department  
9 in order to participate in a batterers’ treatment  
10 program for domestic abuse offenders. In addition, a  
11 person convicted of, or receiving a deferred judgment  
12 for, an assault, as defined in section 708.1, which  
13 is domestic abuse, as defined in section 236.2,  
14 subsection 2, paragraph “*e*”, may be ordered by the  
15 court to participate in a batterers’ treatment program.  
16 Participation in the batterers’ treatment program shall  
17 not require a person to be placed on probation, but  
18 a person on probation may participate in the program.  
19 The district departments may contract for services  
20 in completing the duties relating to the batterers’  
21 treatment programs. The district departments shall  
22 assess the fees for participation in the program, and  
23 shall either collect or contract for the collection  
24 of the fees to recoup the costs of treatment, but  
25 may waive the fee or collect a lesser amount upon a  
26 showing of cause. The fees shall be used by each of  
27 the district departments or contract service providers  
28 for the establishment, administration, coordination,  
29 and provision of direct services of the batterers’  
30 treatment programs.

31 2. In addition to the requirements of subsection 1,  
32 the court shall order a person convicted of domestic  
33 abuse assault in violation of section 708.2A to submit  
34 to a risk assessment pursuant to section 901.5C.

35 3. District departments or contract service

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1 providers shall receive upon request peace officers'  
 2 investigative reports regarding persons participating  
 3 in programs under this section. The receipt of reports  
 4 under this section shall not waive the confidentiality  
 5 of the reports under section 22.7.

6 Sec. 5. Section 708.7, subsection 2, Code 2016, is  
 7 amended by adding the following new paragraph:  
 8 NEW PARAGRAPH. c. A person convicted of harassment  
 9 in the first degree shall be sentenced under section  
 10 902.13 if the offense involved a domestic relationship  
 11 and the sentence exceeds one year.

12 Sec. 6. Section 708.11, subsection 1, paragraph b,  
 13 Code 2016, is amended to read as follows:

14 b. "*Course of conduct*" means repeatedly  
 15 maintaining a visual or physical proximity to a person  
 16 without legitimate purpose, repeatedly utilizing a  
 17 technological device to locate, listen to, or watch  
 18 a person without legitimate purpose, or repeatedly  
 19 conveying oral or written threats, threats implied  
 20 by conduct, or a combination thereof, directed at or  
 21 toward a person.

22 Sec. 7. Section 708.11, subsection 2, Code 2016, is  
 23 amended to read as follows:

24 2. A person commits stalking when all of the  
 25 following occur:

26 a. The person purposefully engages in a course of  
 27 conduct directed at a specific person that would cause  
 28 a reasonable person to feel terrorized, frightened,  
 29 intimidated, or threatened or to fear that the person  
 30 intends to cause bodily injury to, or the death of,  
 31 that specific person or a member of the specific  
 32 person's immediate family.

33 b. The person has knowledge or should have  
 34 knowledge that ~~the specific person will be placed in~~  
 35 reasonable fear of a reasonable person would feel

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1 terrorized, frightened, intimidated, or threatened or  
 2 fear that the person intends to cause bodily injury to,  
 3 or the death of, that specific person or a member of  
 4 the specific person's immediate family by the course  
 5 of conduct.

6 ~~e. The person's course of conduct induces fear in~~  
 7 ~~the specific person of bodily injury to, or the death~~  
 8 ~~of, the specific person or a member of the specific~~  
 9 ~~person's immediate family.~~

10 Sec. 8. Section 708.11, Code 2016, is amended by  
 11 adding the following new subsection:

12 NEW SUBSECTION. 3A. A person convicted under

13 subsection 3, paragraph “a”, or subsection 3, paragraph  
14 “b”, subparagraph (1), shall be sentenced under section  
15 902.13 if the offense involved a domestic relationship.

16 Sec. 9. **NEW SECTION. 708.11A Unauthorized**  
17 **placement of global positioning device.**

18 1. A person commits unauthorized placement of  
19 a global positioning device, when, with intent to  
20 intimidate, annoy, or alarm another person, the person,  
21 without the consent of the other person, places a  
22 global positioning device on the other person or an  
23 object in order to track the movements of the other  
24 person without a legitimate purpose.

25 2. A person who commits a violation of this section  
26 commits a serious misdemeanor.

27 Sec. 10. **NEW SECTION. 901.5C Domestic abuse**  
28 **assault — no-contact order or protective order**  
29 **violations — risk assessment.**

30 1. If a person is convicted of domestic abuse  
31 assault in violation of section 708.2A, a violation of  
32 a no-contact order or a protective order under section  
33 664A.7, subsection 5, or alternatively the person  
34 is held in contempt of court for such a violation,  
35 as provided in section 664A.7, subsection 3, while

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1 under supervision by a judicial district department of  
2 correctional services, the court shall order the person  
3 to submit to a risk assessment.

4 2. The risk assessment shall be performed by  
5 the judicial district department of correctional  
6 services or a contract service provider of a batterers’  
7 treatment program for domestic abuse offenders, using  
8 a validated risk assessment developed by the board of  
9 parole and approved by the department of corrections.

10 The court shall consider the risk assessment in  
11 determining the appropriate conditions for release.  
12 In determining whether to release a defendant, the  
13 court shall determine whether sufficient conditions  
14 for release are available that are designed to reduce  
15 the risk to another individual, detect threatening  
16 or criminal behavior, and increase the safety of  
17 individuals and the general public, and balance those  
18 determinations with the potential risk of harm if the  
19 defendant is released.

20 3. The court may order the defendant to participate  
21 in a program that includes the use of an electronic  
22 tracking and monitoring system as a condition of  
23 release. When ordering the use of an electronic  
24 tracking and monitoring system the court shall consider  
25 the safety of the victim and other legitimate factors  
26 that may impact all of the parties. If an electronic

27 tracking and monitoring system is ordered, the court  
28 shall order the defendant to pay the costs associated  
29 with the imposition of the system. If the defendant  
30 fails to pay the fees of the electronic tracking and  
31 monitoring system in a timely manner, the court may  
32 impose garnishment of the defendant's wages in order to  
33 meet the payment obligation.

34 Sec. 11. NEW SECTION. **902.13 Minimum sentence for**  
35 **certain domestic abuse assault, harassment, and stalking**

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1 **offenses.**

2 1. As used in this section, unless the context  
3 otherwise requires:

4 a. (1) "*Family or household members*" means spouses,  
5 persons cohabiting, parents, or other persons related  
6 by consanguinity or affinity.

7 (2) "*Family or household members*" does not include  
8 children under age eighteen of persons listed in  
9 subparagraph (1).

10 b. "*Intimate relationship*" means a significant  
11 romantic involvement that need not include sexual  
12 involvement. An intimate relationship does not include  
13 casual social relationships or associations in a  
14 business or professional capacity.

15 c. "*Offense involving a domestic relationship*"  
16 means an offense involving any of the following  
17 circumstances:

18 (1) The offense is between family or household  
19 members who resided together at the time of the  
20 offense.

21 (2) The offense is between separated spouses or  
22 persons divorced from each other and not residing  
23 together at the time of the offense.

24 (3) The offense is between persons who are parents  
25 of the same minor child, regardless of whether they  
26 have been married or have lived together at any time.

27 (4) The offense is between persons who have been  
28 family or household members residing together within  
29 the past year and are not residing together at the time  
30 of the offense.

31 (5) (a) The offense is between persons who are in  
32 an intimate relationship or have been in an intimate  
33 relationship and have had contact with one another  
34 within the past year immediately preceding the time of  
35 the offense. In determining whether persons are or

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1 have been in an intimate relationship, the court may  
2 consider the following nonexclusive list of factors:

3 (i) The duration of the relationship.

- 4 (ii) The frequency of interaction.  
 5 (iii) Whether the relationship has been terminated.  
 6 (iv) The nature of the relationship, characterized  
 7 by either party's expectation of sexual or romantic  
 8 involvement.
- 9 (b) A person may be involved in an intimate  
 10 relationship with more than one person at a time.
- 11 2. a. A person who has been convicted of a third  
 12 or subsequent offense of domestic abuse assault under  
 13 section 708.2A, subsection 4, shall be denied parole  
 14 or work release until the person has served between  
 15 one-fifth of the maximum term and the maximum term of  
 16 the person's sentence as provided in subsection 3.
- 17 b. A person who has been convicted of the offense  
 18 of harassment in the first degree under section 708.7,  
 19 subsection 2, and the offense involved a domestic  
 20 relationship, shall be denied parole or work release  
 21 until the person has served between one-half of the  
 22 maximum term and the maximum term of the person's  
 23 sentence as provided in subsection 3, if the person  
 24 is committed to the custody of the director of the  
 25 department of corrections.
- 26 c. A person who has been convicted of a third or  
 27 subsequent offense of stalking under section 708.11,  
 28 subsection 3, paragraph "a", and the offense involved a  
 29 domestic relationship, shall be denied parole or work  
 30 release until the person has served between one-fifth  
 31 of the maximum term and the maximum term of the  
 32 person's sentence as provided in subsection 3.
- 33 d. A person who has been convicted of the offense  
 34 of stalking under section 708.11, subsection 3,  
 35 paragraph "b", subparagraph (1), and the offense

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- 1 involved a domestic relationship, shall be denied  
 2 parole or work release until the person has served  
 3 between one-fifth of the maximum term and the maximum  
 4 term of the person's sentence as provided in subsection  
 5 3.
- 6 3. The sentencing court shall determine, after  
 7 receiving and examining all pertinent information  
 8 referred to in section 901.5, the minimum term of  
 9 confinement, within the parameters set forth in  
 10 subsection 2, required to be served before a person may  
 11 be paroled or placed on work release.
- 12 Sec. 12. Section 903A.2, subsection 1, paragraph a,  
 13 unnumbered paragraph 1, Code 2016, is amended to read  
 14 as follows:
- 15 Category "A" sentences are those sentences which  
 16 are not subject to a maximum accumulation of earned  
 17 time of fifteen percent of the total sentence of



18 confinement under section 902.12 or 902.13. To the  
19 extent provided in subsection 5, category “A” sentences  
20 also include life sentences imposed under section  
21 902.1. An inmate of an institution under the control  
22 of the department of corrections who is serving a  
23 category “A” sentence is eligible for a reduction of  
24 sentence equal to one and two-tenths days for each day  
25 the inmate demonstrates good conduct and satisfactorily  
26 participates in any program or placement status  
27 identified by the director to earn the reduction. The  
28 programs include but are not limited to the following:  
29 Sec. 13. Section 903A.2, subsection 1, paragraph b,  
30 Code 2016, is amended to read as follows:  
31 b. (1) Category “B” sentences are those sentences  
32 which are subject to a maximum accumulation of earned  
33 time of fifteen percent of the total sentence of  
34 confinement under section 902.12 or 902.13. An inmate  
35 of an institution under the control of the department

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1 of corrections who is serving a category “B” sentence  
2 is eligible for a reduction of sentence equal to  
3 fifteen eighty-fifths of a day for each day of good  
4 conduct by the inmate.  
5 (2) An inmate required to participate in a domestic  
6 abuse treatment program shall not be eligible for a  
7 reduction of sentence unless the inmate participates  
8 in and completes a domestic abuse treatment program  
9 established by the director.  
10 Sec. 14. Section 904A.4, subsection 8, Code 2016,  
11 is amended to read as follows:  
12 8. a. The board of parole shall implement a risk  
13 assessment program which shall provide risk assessment  
14 analysis for the board.  
15 b. The board of parole shall also develop a risk  
16 assessment validated for domestic abuse-related  
17 offenses in consultation with the department of  
18 corrections. The board may adopt rules pursuant to  
19 chapter 17A relating to the use of the domestic abuse  
20 risk assessment.  
21 Sec. 15. **NEW SECTION. 905.16 Electronic tracking**  
22 **and monitoring system.**  
23 1. A person placed on probation, parole, work  
24 release, special sentence, or any other type of  
25 conditional release for any of the following offenses  
26 may be supervised by an electronic tracking and  
27 monitoring system in addition to any other conditions  
28 of supervision:  
29 a. Domestic abuse assault in violation of section  
30 708.2A, subsection 4.  
31 b. Harassment in the first degree in violation of

32 section 708.7, subsection 2, if the offense involved a  
 33 domestic relationship as defined in section 902.13.  
 34 c. Stalking under section 708.11, subsection 3,  
 35 paragraph "a", if the offense involved a domestic

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1 relationship as defined in section 902.13.  
 2 d. Stalking under section 708.11, subsection  
 3 3, paragraph "b", subparagraph (1), if the offense  
 4 involved a domestic relationship as defined in section  
 5 902.13.  
 6 2. When considering whether to order the use of an  
 7 electronic tracking and monitoring system the court  
 8 shall consider the safety of the victim and other  
 9 legitimate factors that may impact all of the parties.  
 10 Sec. 16. Section 907.3, subsection 1, paragraph  
 11 a, Code 2016, is amended by adding the following new  
 12 subparagraphs:  
 13 NEW SUBPARAGRAPH. (013) The offense is a violation  
 14 referred to in section 708.2A, subsection 4.  
 15 NEW SUBPARAGRAPH. (0013) The offense is a  
 16 violation of section 708.7, subsection 2, and the  
 17 offense involved a domestic relationship as defined in  
 18 section 902.13.  
 19 NEW SUBPARAGRAPH. (00013) The offense is a  
 20 violation referred to in section 708.11, subsection  
 21 3, paragraph "a", and the offense involved a domestic  
 22 relationship as defined in section 902.13.  
 23 NEW SUBPARAGRAPH. (000013) The offense is a  
 24 violation of section 708.11, subsection 3, paragraph  
 25 "b", subparagraph (1), and the offense involved a  
 26 domestic relationship as defined in section 902.13.  
 27 Sec. 17. Section 907.3, subsection 2, paragraph  
 28 a, Code 2016, is amended by adding the following new  
 29 subparagraphs:  
 30 NEW SUBPARAGRAPH. (8) The offense is a violation  
 31 referred to in section 708.2A, subsection 4.  
 32 NEW SUBPARAGRAPH. (9) The offense is a violation  
 33 of section 708.7, subsection 2, and the offense  
 34 involved a domestic relationship as defined in section  
 35 902.13.

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1 NEW SUBPARAGRAPH. (10) The offense is a violation  
 2 of section 708.11, subsection 3, paragraph "a", and the  
 3 offense involved a domestic relationship as defined in  
 4 section 902.13.  
 5 NEW SUBPARAGRAPH. (11) The offense is a violation  
 6 of section 708.11, subsection 3, paragraph "b",  
 7 subparagraph (1), and the offense involved a domestic

8 relationship as defined in section 902.13.  
 9 Sec. 18. Section 907.3, subsection 3, Code 2016, is  
 10 amended by adding the following new paragraph:  
 11 NEW PARAGRAPH. *Oa.* The sentence imposed under  
 12 section 902.13 for a violation referred to in section  
 13 708.2A, subsection 4.>>

STEVEN J. SODDERS

**S-5114**

1 Amend Senate File 2306 as follows:  
 2 1. Page 3, line 14, by striking <requirement> and  
 3 inserting <and insurance verification requirements>  
 4 2. Page 5, by striking lines 30 and 31 and  
 5 inserting:  
 6 <5. *Notification and insurance verification during*  
 7 *disaster response period.*>  
 8 3. Page 6, after line 17 by inserting:  
 9 <\_\_. Upon request of the secretary of state, an  
 10 out-of-state business that enters the state to perform  
 11 disaster and emergency-related work during a disaster  
 12 response period shall provide proof of workers'  
 13 compensation insurance coverage and liability insurance  
 14 coverage, if any. Such proof shall be provided within  
 15 ten days of the request.>  
 16 4. Page 6, line 18, after <notification> by  
 17 inserting <and insurance verification>  
 18 5. By renumbering, redesignating, and correcting  
 19 internal references as necessary.

JANET PETERSEN

**S-5115**

1 Amend the amendment, S-5085, to House File 493,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 3, line 21, by striking <for> and inserting  
 5 <or>  
 6 2. Page 3, line 22, by striking <or>  
 7 3. Page 3, line 23, after <services> by inserting  
 8 <, or which reflect other costs incurred by the city,  
 9 county, or other governmental entity unrelated to  
 10 responding to a call for law enforcement assistance or  
 11 other emergency assistance>  
 12 4. Page 4, by striking lines 13 through 15 and  
 13 inserting:  
 14 <d. In a case brought by a resident or tenant, the  
 15 reasonable attorney fees the resident or tenant incurs  
 16 in seeking enforcement of this section.>  
 17 5. Page 6, line 27, by striking <for> and inserting

18 <or>  
 19 6. Page 6, line 28, by striking <or>  
 20 7. Page 6, line 29, after <services> by inserting  
 21 <, or which reflect other costs incurred by the city,  
 22 county, or other governmental entity unrelated to  
 23 responding to a call for law enforcement assistance or  
 24 other emergency assistance>  
 25 8. Page 7, by striking lines 19 through 21 and  
 26 inserting:  
 27 <d. In a case brought by a resident or tenant, the  
 28 reasonable attorney fees the resident or tenant incurs  
 29 in seeking enforcement of this section.>  
 30 9. By renumbering, redesignating, and correcting  
 31 internal references as necessary.

ROBERT M. HOGG

**S-5116**

HOUSE AMENDMENT TO  
 SENATE FILE 2259

1 Amend Senate File 2259, as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, line 13, by striking <judge> and  
 4 inserting <court, with preference given to the  
 5 committing judge, if available,>

**S-5117**

1 Amend the House amendment, S-5102, to Senate File  
 2 453, as passed by the Senate, as follows:  
 3 1. Page 2, line 13, after <miles> by inserting <by  
 4 the shortest driving distance>  
 5 2. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

**S-5118**

1 Amend the amendment, S-5082, to House File 2064,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 1, by striking lines 1 through 24 and  
 5 inserting:  
 6 <Amend House File 2064, as amended, passed, and  
 7 reprinted by the House, as follows:  
 8 1. By striking everything after the enacting clause  
 9 and inserting:  
 10 <Section 1. Section 802.2B, Code 2016, is amended  
 11 by adding the following new subsection:  
 12 NEW SUBSECTION. 5A. Child endangerment in

13 violation of section 726.6, subsection 4, 5, or 6.  
 14 Sec. 2. Section 902.12, Code 2016, is amended to  
 15 read as follows:

16 **902.12 Minimum sentence for certain felonies —**  
 17 **eligibility for parole or work release.**

18 1. A person serving a sentence for conviction of  
 19 the following felonies, including a person serving a  
 20 sentence for conviction of the following felonies prior  
 21 to July 1, 2003, shall be denied parole or work release  
 22 unless the person has served at least seven-tenths of  
 23 the maximum term of the person's sentence:

24 ~~1.~~ a. Murder in the second degree in violation of  
 25 section 707.3.

26 ~~2.~~ b. Attempted murder in violation of section  
 27 707.11.

28 ~~3.~~ c. Sexual abuse in the second degree in  
 29 violation of section 709.3.

30 ~~4.~~ d. Kidnapping in the second degree in violation  
 31 of section 710.3.

32 ~~5.~~ e. Robbery in the first or second degree in  
 33 violation of section 711.2 or 711.3.

34 ~~6.~~ f. Vehicular homicide in violation of section  
 35 707.6A, subsection 1 or 2, if the person was also

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1 convicted under section 321.261, subsection 4, based on  
 2 the same facts or event that resulted in the conviction  
 3 under section 707.6A, subsection 1 or 2.

4 2. a. A person serving a sentence for a conviction  
 5 of child endangerment as defined in section 726.6,  
 6 subsection 1, paragraph "b", that is described and  
 7 punishable under section 726.6, subsection 4, shall  
 8 be denied parole or work release until the person has  
 9 served between three-tenths and seven-tenths of the  
 10 maximum term of the person's sentence as provided under  
 11 paragraph "b"

12 b. The sentencing court shall determine when  
 13 the person shall become eligible for consideration  
 14 of parole or work release within the parameters  
 15 specified under paragraph "a", based upon all pertinent  
 16 information including the person's criminal record,  
 17 a validated risk assessment, and whether the offense  
 18 involved multiple intentional acts or a series of  
 19 intentional acts, or whether the offense involved  
 20 torture or cruelty.

21 Sec. 3. NEW SECTION. 906.20 Waiver of minimum  
 22 sentence.

23 Notwithstanding section 124.413, the board of  
 24 parole, at its discretion, may place on parole or work  
 25 release a person sentenced for a violation of section  
 26 124.401, subsection 1, paragraph "a", "b", or "c", if

27 the person is not classified a high risk to reoffend  
 28 and the person has served at least one-half of the  
 29 minimum period of confinement prescribed under section  
 30 124.413.>>  
 31 2. Title page, line 2, by striking <resulting in  
 32 the death of a child or minor> and inserting <and to  
 33 criminal drug offenses>

STEVEN J. SODDERS

**S-5119**

1 Amend House File 2394, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 2, after line 28 by inserting:  
 4 <Sec. \_\_. **NEW SECTION. 514K.2 Health carrier**  
 5 **disclosures — public internet sites.**  
 6 1. A carrier that provides small group health  
 7 coverage pursuant to chapter 513B or individual health  
 8 coverage pursuant to chapter 513C and that offers  
 9 for sale a policy, contract, or plan that covers the  
 10 essential health benefits required pursuant to section  
 11 1302 of the federal Patient Protection and Affordable  
 12 Care Act, Pub. L. No. 111-148, and its implementing  
 13 regulations, shall provide to each of its enrollees  
 14 at the time of enrollment, and shall make available  
 15 to prospective enrollees and enrollees, insurance  
 16 producers licensed under chapter 522B, and the general  
 17 public, on the carrier's internet site, all of the  
 18 following information in a clear and understandable  
 19 form for use in comparing policies, contracts, and  
 20 plans, and coverage and premiums:  
 21 a. Any items or services, including prescription  
 22 drugs, that have a coinsurance requirement where the  
 23 cost-sharing required depends on the cost of the item  
 24 or service.  
 25 b. The specific prescription drugs available on  
 26 the carrier's formulary, the specific prescription  
 27 drugs covered when furnished by a physician or clinic,  
 28 and any clinical prerequisites or prior authorization  
 29 requirements for coverage of the drugs.  
 30 c. How medications will specifically be included  
 31 in or excluded from the deductible, including a  
 32 description of all out-of-pocket costs that may not  
 33 apply to the deductible for a prescription drug.  
 34 2. A carrier that provides a summary of benefits  
 35 and coverage to its enrollees in accordance with 26

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1 C.F.R. §54.9815-2715, 29 C.F.R. §2590.715-2715, and 45  
 2 C.F.R. §147.200 is deemed to be in compliance with this  
 3 section unless the commissioner of insurance determines

- 4 that these federal regulations, or the successors to  
 5 any of these federal regulations, fail to require the  
 6 information required pursuant to this section in a  
 7 clear and understandable form.
- 8 3. The commissioner shall adopt rules pursuant to  
 9 chapter 17A to administer this section.>
- 10 2. Page 10, after line 22 by inserting:  
 11 <Sec. \_\_\_. APPLICABILITY. The following provision  
 12 of this Act is applicable to health insurance policies,  
 13 contracts, or plans that are delivered, issued for  
 14 delivery, continued, or renewed on or after January 1,  
 15 2017:
- 16 1. The section of this Act enacting section  
 17 514K.2.>
- 18 3. Title page, line 3, after <penalties> by  
 19 inserting <and applicability provisions>
- 20 4. By renumbering as necessary.

CHAZ ALLEN

**S-5120**

- 1 Amend House File 2414, as amended, passed, and  
 2 reprinted by the House, as follows:
- 3 1. Page 1, before line 1 by inserting:  
 4 <DIVISION I  
 5 TRANSPORTATION NETWORK COMPANIES>
- 6 2. Page 10, after line 3 by inserting:  
 7 <DIVISION II  
 8 RAILROAD WORKER TRANSPORTATION COMPANIES
- 9 Sec. \_\_\_. Section 327F.39, Code 2016, is amended by  
 10 adding the following new subsection:  
 11 **NEW SUBSECTION.** 5A. *Insurance.* A railroad worker  
 12 transportation company shall maintain financial  
 13 liability coverage, as defined in section 321.1,  
 14 subsection 24B, for each motor vehicle owned by the  
 15 company or operated by a driver on behalf of the  
 16 company in the amount of at least one million dollars  
 17 because of bodily injury to or death of one or more  
 18 persons and injury to or destruction of property  
 19 of others in any one accident. A railroad worker  
 20 transportation company shall also maintain uninsured  
 21 and underinsured motor vehicle coverage for each motor  
 22 vehicle owned by the company or operated by a driver on  
 23 behalf of the company in the amount of at least five  
 24 hundred thousand dollars because of bodily injury to or  
 25 death of one person in any one accident, one million  
 26 dollars because of bodily injury to or death of two  
 27 persons in any one accident, one million five hundred  
 28 thousand dollars because of bodily injury to or death  
 29 of three persons in any one accident, and two million  
 30 dollars because of bodily injury to or death of four or

31 more persons in any one accident.>  
 32 3. Title page, line 2, after <companies,> by  
 33 inserting <requiring certain amounts of insurance  
 34 coverage for motor vehicles of railroad worker  
 35 transportation companies, making a penalty applicable,>

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1 4. By renumbering as necessary.

RICH TAYLOR

**S-5121**

1 Amend House File 2414, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 1, before line 1 by inserting:  
 4 <Section 1. Section 321.1, subsection 8, Code 2016,  
 5 is amended by adding the following new paragraphs:  
 6 NEW PARAGRAPH. j. A transportation network  
 7 company driver, as defined in section 321N.1, is not  
 8 a chauffeur.  
 9 NEW PARAGRAPH. k. A person operating a taxicab  
 10 having a seating capacity of less than seven passengers  
 11 and not operating on a regular route or between  
 12 specified points is not a chauffeur.  
 13 Sec. \_\_\_\_ Section 321.40, Code 2016, is amended by  
 14 adding the following new subsection:  
 15 NEW SUBSECTION. 6A. a. The department or the  
 16 county treasurer shall refuse to renew the registration  
 17 of a vehicle registered to an applicant if the  
 18 department or the county treasurer knows that the  
 19 applicant has not paid a civil penalty imposed on the  
 20 applicant pursuant to section 321N.2, subsection 2A.  
 21 An applicant may contest this action by requesting a  
 22 contested case proceeding from the department. The  
 23 department shall notify the county treasurers through  
 24 the distributed teleprocessing network of persons who  
 25 have not paid such civil penalties.  
 26 b. The county treasurer of the county of an  
 27 applicant's residence and in which the applicant's  
 28 vehicle is registered, in cooperation with the  
 29 department, may collect a civil penalty imposed on  
 30 the applicant pursuant to section 321N.2, subsection  
 31 2A, when the applicant applies for renewal of a  
 32 vehicle registration. The applicant may remit full  
 33 payment of the civil penalty, along with a processing  
 34 fee of five dollars, to the county treasurer at the  
 35 time of registration renewal. Upon full payment



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1 of the civil penalty, the processing fee, and the  
2 vehicle registration fee, the county treasurer shall  
3 issue the registration to the applicant. A county  
4 treasurer collecting a civil penalty on behalf of  
5 the department pursuant to this subsection shall  
6 update the vehicle registration records through the  
7 distributed teleprocessing network on a daily basis for  
8 all applicants who have paid civil penalties pursuant  
9 to this subsection. A county treasurer shall forward  
10 all funds collected on behalf of the department to the  
11 department.

12 Sec. \_\_\_\_ Section 321.236, subsection 7, Code 2016,  
13 is amended to read as follows:

14 7. Licensing and regulating the operation of  
15 vehicles offered to the public for hire and used  
16 principally in intracity operation, except to the  
17 extent such licensure and regulation conflicts with  
18 section 321.241, section 321N.10, section 325A.6, or  
19 any other provision of the Code.

20 Sec. \_\_\_\_ **NEW SECTION. 321.241 Regulation of**  
21 **taxicabs by local authorities — limits.**

22 1. A local authority shall not enact, enforce,  
23 or maintain any ordinance, regulation, or rule that  
24 imposes a requirement on a person operating a taxicab  
25 having a seating capacity of less than seven passengers  
26 and not operating on a regular route or between  
27 specified points that is more restrictive than any of  
28 the following:

29 a. Requiring the person to have a driver's license  
30 valid for the operation of the motor vehicle used as  
31 a taxicab that is not an instruction permit, special  
32 instruction permit, or temporary restricted license.

33 b. Prohibiting the person from operating the  
34 taxicab if any of the following apply:

35 (1) The person is restricted to operating motor

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1 vehicles equipped with an ignition interlock device.

2 (2) The person's driving privileges have been  
3 suspended, revoked, barred, canceled, denied, or  
4 disqualified in the prior three-year period.

5 (3) The person has been convicted of more than  
6 three moving violations in the prior three-year period.

7 (4) The person has been convicted of violating  
8 section 321.218, 321.277, or 321J.21, or section  
9 321A.32, subsection 1, in the prior three-year period.

10 (5) The person has been convicted in the prior  
11 seven-year period of a felony, of violating section  
12 321J.2 or 321J.2A, or of any crime involving resisting

13 law enforcement, dishonesty, injury to another person,  
 14 damage to the property of another person, or operating  
 15 a vehicle in a manner that endangers another person.

16 (6) The person is registered on the national sex  
 17 offender registry.

18 2. A local authority shall not enact, enforce,  
 19 or maintain any ordinance, regulation, or rule  
 20 that requires a corporation, partnership, sole  
 21 proprietorship, or other entity that sells or offers  
 22 for sale transportation by taxicabs having a seating  
 23 capacity of less than seven passengers and not  
 24 operating on a regular route or between specified  
 25 points to maintain a physical place of business in  
 26 the local authority's jurisdiction as a condition  
 27 of operating such taxicabs in the local authority's  
 28 jurisdiction.

29 Sec. \_\_\_\_ Section 321.446, subsection 4, paragraph  
 30 c, Code 2016, is amended to read as follows:

31 c. If a child under fourteen years of age, or a  
 32 child fourteen years of age or older who is unable  
 33 to fasten a seatbelt due to a temporary or permanent  
 34 disability, is being transported in a taxicab or in a  
 35 personal vehicle operated by a transportation network

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1 company driver, as defined in section 321N.1, in a  
 2 manner that is not in compliance with subsection 1 or  
 3 2, the parent, legal guardian, or other responsible  
 4 adult traveling with the child shall be served with a  
 5 citation for a violation of this section in lieu of  
 6 the taxicab operator or transportation network company  
 7 driver. Otherwise, if a passenger being transported  
 8 in the taxicab or in a personal vehicle operated by  
 9 a transportation network company driver is fourteen  
 10 years of age or older, the citation shall be served  
 11 on the passenger in lieu of the taxicab operator or  
 12 transportation network company driver.>

13 2. Page 1, after line 3 by inserting:

14 <01. "Department" means the state department of  
 15 transportation.>

16 3. Page 1, line 5, by striking <software,>

17 4. Page 1, line 9, after <a> by inserting  
 18 <noncommercial>

19 5. Page 2, after line 16 by inserting:

20 <Sec. \_\_\_\_ **NEW SECTION. 321N.1A Permit required —**  
 21 **examination of records — sanctions.**

22 1. A transportation network company shall not  
 23 operate or conduct business in this state without a  
 24 permit issued pursuant to this section.

25 2. a. Upon the filing of an application by a  
 26 transportation network company with the department and

27 a determination by the department that the company is  
28 in compliance with the provisions of this chapter, the  
29 department shall issue a permit to the company. An  
30 application filed pursuant to this section shall be in  
31 writing and shall contain all of the following:  
32 (1) The full legal name and tax identification  
33 number of the applicant.  
34 (2) The address of the applicant's principal place  
35 of business.

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1 (3) A statement agreeing to comply with all  
2 applicable requirements of this chapter signed by the  
3 applicant.  
4 (4) Proof of compliance with the financial  
5 responsibility requirements of section 321N.3,  
6 submitted in a manner prescribed by the department.  
7 (5) Proof that the applicant has established a  
8 zero tolerance policy for the use of drugs and alcohol  
9 as provided in section 321N.2, submitted in a manner  
10 prescribed by the department.  
11 (6) Proof that the applicant requires personal  
12 vehicles to comply with applicable motor vehicle  
13 equipment requirements as provided in section 321N.2,  
14 submitted in a manner prescribed by the department.  
15 (7) Proof that the applicant has adopted and is  
16 enforcing nondiscrimination and accessibility policies,  
17 submitted in a manner prescribed by the department.  
18 (8) Proof that the applicant has established  
19 record retention guidelines, submitted in a manner  
20 prescribed by the department, that comply with all of  
21 the following:  
22 (a) A record of a prearranged ride shall be  
23 retained for at least six years after the date the  
24 prearranged ride was provided, unless the company is  
25 notified that the record is material to a judicial  
26 proceeding, in which case the record shall be retained  
27 for at least two years after final disposition of the  
28 judicial proceeding.  
29 (b) A record of a transportation network company  
30 driver shall be retained for at least six years after  
31 the date on which the driver's activation on the  
32 company's digital network ended, unless the company  
33 is notified that the record is material to a judicial  
34 proceeding, in which case the record shall be retained  
35 for at least two years after final disposition of the

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1 judicial proceeding.  
2 b. The permit application shall be accompanied by a  
3 fee of five thousand dollars. All fees received by the

4 department for permits issued pursuant to this section  
5 shall be paid monthly to the treasurer of state and  
6 deposited in the road use tax fund.

7 3. A permit issued pursuant to this section shall  
8 be valid for one year after the date of issuance.

9 4. The department may deny issuance of a permit if  
10 the department determines, and evidence demonstrates,  
11 that the applicant is not in compliance or is unable to  
12 comply with the provisions of this chapter.

13 5. The department may examine the records of a  
14 transportation network company for the purpose of  
15 enforcing this chapter. The examination may include  
16 a random sample of the company's records related to  
17 transportation network company drivers and prearranged  
18 rides. The examination shall take place at the  
19 department's motor vehicle division building unless  
20 another location is agreed to by the department and  
21 the company. Such examinations shall not occur more  
22 than twice per year unless additional examinations are  
23 necessary to investigate a complaint. Records obtained  
24 by the department pursuant to this subsection are not  
25 public records or otherwise subject to disclosure  
26 under chapter 22, and shall be kept confidential by the  
27 department except to the extent such records may be  
28 required to be disclosed in a departmental or judicial  
29 proceeding.

30 6. The department may suspend the permit of a  
31 transportation network company for a violation of this  
32 chapter or a rule adopted under this chapter until the  
33 company demonstrates to the department that the company  
34 is in compliance with the applicable requirements. The  
35 department may revoke the permit of a transportation

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1 network company for continued noncompliance with this  
2 chapter or a rule adopted under this chapter.

3 7. A transportation network company whose  
4 application for a permit has been denied, or whose  
5 permit has been suspended or revoked, shall have  
6 all rights afforded to the company under chapter 17A  
7 and rules adopted by the department to contest the  
8 department's decision.

9 8. The department may adopt rules pursuant to  
10 chapter 17A to administer this section.>

11 6. Page 2, line 32, after <rides,> by inserting  
12 <proof of financial liability coverage, as defined  
13 in section 321.1, subsection 24B, covering the  
14 individual's use of the personal vehicle,>

15 7. Page 2, line 33, by striking <driver> and  
16 inserting <individual>

17 8. Page 3, after line 5 by inserting:

18 <d. Obtain a disclosure form signed by the  
19 individual notifying the individual of all of the  
20 following:  
21 (1) If a lien exists against a personal vehicle  
22 the individual intends to use while acting as a  
23 transportation network company driver, the individual  
24 is required to notify the lienholder within the  
25 seven-day period prior to using the vehicle for such  
26 purposes that the individual intends to use the vehicle  
27 for such purposes.  
28 (2) If the individual is not the owner of the  
29 personal vehicle the individual intends to use while  
30 acting as a transportation network company driver,  
31 the individual is required to notify the owner of the  
32 vehicle within the seven-day period prior to using the  
33 vehicle for such purposes that the individual intends  
34 to use the vehicle for such purposes and that the  
35 owner's automobile insurance policy, depending on the

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1 policy's terms, may not provide any coverage while  
2 the individual is logged on to the company's digital  
3 network and is available to receive requests for a  
4 prearranged ride, or while the individual is engaged in  
5 a prearranged ride.  
6 (3) Failure to notify a lienholder or an owner  
7 pursuant to this paragraph "d" shall result in the  
8 imposition of a civil penalty as provided in subsection  
9 2A.  
10 2A. If an individual fails to notify a lienholder  
11 or an owner pursuant to subsection 2, the department  
12 shall assess a civil penalty against the individual in  
13 the amount of two hundred fifty dollars. All moneys  
14 collected by the department pursuant to this subsection  
15 shall be paid monthly to the treasurer of state and  
16 deposited in the road use tax fund.>  
17 9. Page 3, after line 8 by inserting:  
18 <0a. The individual does not have a driver's  
19 license valid for the operation of the personal  
20 vehicle. A driver's license valid for the operation of  
21 the personal vehicle shall not include an instruction  
22 permit, special instruction permit, or temporary  
23 restricted license.  
24 00a. The individual is restricted to operating  
25 motor vehicles equipped with an ignition interlock  
26 device.  
27 000a. The individual's driving privileges have  
28 been suspended, revoked, barred, canceled, denied, or  
29 disqualified in the prior three-year period.>  
30 10. Page 3, line 10, after <violations> by  
31 inserting <in the prior three-year period>

- 32 11. Page 3, after line 21 by inserting:  
 33 <De. The individual is not at least nineteen years  
 34 of age.>  
 35 12. Page 4, by striking lines 25 through 31 and

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- 1 inserting <destruction of property of others in any one  
 2 accident.>  
 3 13. Page 5, by striking lines 12 through 17 and  
 4 inserting <destruction of property of others in any one  
 5 accident.>  
 6 14. Page 8, lines 16 and 17, by striking <parties  
 7 directly involved in the claim> and inserting <one  
 8 another>  
 9 15. Page 8, after line 25 by inserting:  
 10 <Sec. \_\_. NEW SECTION. **321N.6 Identification of**  
 11 **drivers and vehicles.**  
 12 Before a transportation network company rider  
 13 enters the personal vehicle of a transportation network  
 14 company driver, the transportation network company  
 15 shall disclose all of the following information to the  
 16 rider on the company's digital network:  
 17 1. A picture that prominently displays the face of  
 18 the driver.  
 19 2. The make, model, and registration plate number  
 20 of the personal vehicle used by the driver.  
 21 Sec. \_\_. NEW SECTION. **321N.7 Electronic receipt.**  
 22 Within a reasonable period of time following  
 23 the completion of a prearranged ride provided  
 24 to a transportation network company rider, the  
 25 transportation network company shall transmit an  
 26 electronic receipt to the rider containing all of the  
 27 following information:  
 28 1. The origin and destination of the trip.  
 29 2. The total time and distance of the trip.  
 30 3. An itemized account of the total fare paid by  
 31 the rider, if any.  
 32 Sec. \_\_. NEW SECTION. **321N.8 Street hails**  
 33 **prohibited.**  
 34 A transportation network company driver shall not  
 35 solicit or accept riders hailing the driver from the

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- 1 street.  
 2 Sec. \_\_. NEW SECTION. **321N.9 Disclosure of**  
 3 **personal information.**  
 4 1. A transportation network company shall not  
 5 disclose a transportation network company rider's  
 6 personal information to a third party unless the rider  
 7 consents to the disclosure, the disclosure is required

8 by law, the disclosure is required to protect or defend  
 9 the terms of use of the company's services, or the  
 10 disclosure is required to investigate a violation  
 11 of the terms of use. For purposes of this section,  
 12 "*personal information*" includes but is not limited to  
 13 the rider's name, home address, telephone number, and  
 14 payment information.

15 2. Notwithstanding subsection 1, a transportation  
 16 network company may disclose a rider's name and  
 17 telephone number to the driver providing a prearranged  
 18 ride to the rider in order to facilitate the  
 19 identification of the rider by the driver, or to  
 20 facilitate communication between the rider and the  
 21 driver.

22 Sec. \_\_\_\_ **NEW SECTION. 321N.10 Regulation by**  
 23 **political subdivisions prohibited — exception.**

24 1. a. Except as otherwise provided in this  
 25 section, transportation network companies,  
 26 transportation network company drivers, and personal  
 27 vehicles, in the course of their operation pursuant  
 28 to this chapter, shall be exclusively controlled,  
 29 supervised, and regulated by the department in  
 30 accordance with this chapter.

31 b. Except as otherwise provided in this section,  
 32 no provision of this chapter shall be construed to  
 33 authorize a political subdivision of the state to  
 34 enact an ordinance regulating transportation network  
 35 companies, transportation network company drivers, or

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1 personal vehicles operated pursuant to this chapter.

2 2. No provision of this chapter shall be construed  
 3 to limit the rights and powers of a commercial service  
 4 airport, as defined in 49 U.S.C. §47102, to do any of  
 5 the following:

6 a. Regulate the operation of motor vehicles on  
 7 the airport's premises in accordance with rules,  
 8 regulations, and policies adopted for the orderly use  
 9 of the airport.

10 b. Establish, alter, and collect rates, fees,  
 11 rental payments, or other charges for the use of the  
 12 airport's services and facilities.>

13 16. Page 9, after line 9 by inserting:

14 <Sec. \_\_\_\_ Section 325A.2, subsection 2, Code 2016,  
 15 is amended to read as follows:

16 2. A local authority, as defined in section 321.1,  
 17 shall not impose any regulations, including special  
 18 registration or inspection requirements, upon the  
 19 operation of motor carriers that are more restrictive  
 20 than any of the provisions of this chapter, or section  
 21 321.449 or 321.450. This subsection does not, however,

22 prohibit a local authority from exercising the home  
 23 rule power of the local authority to impose additional  
 24 or more restrictive regulations or requirements upon  
 25 the operation of taxicabs or limousines engaged in  
 26 nonfixed route transportation for hire, except to the  
 27 extent such regulations or requirements conflict with  
 28 section 321.241, section 325A.6, or any other provision  
 29 of the Code.

30 Sec. \_\_\_\_ Section 325A.6, Code 2016, is amended to  
 31 read as follows:

32 **325A.6 Insurance.**

33 1. ~~All~~ Except as provided in subsection 2, all  
 34 motor carriers subject to this chapter shall have  
 35 minimum insurance coverage which meets the limits

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1 established in the federal motor carrier safety  
 2 regulations in 49 C.F.R. pt. 387.  
 3 2. All motor vehicles providing taxicab services,  
 4 having a seating capacity of less than seven  
 5 passengers, and not operating on a regular route  
 6 or between specified points shall maintain primary  
 7 automobile insurance in the amount of at least one  
 8 million dollars because of bodily injury to or death  
 9 of one or more persons and injury to or destruction of  
 10 property of others in any one accident. A political  
 11 subdivision of the state shall not enact an ordinance  
 12 requiring insurance coverage for such vehicles in  
 13 an amount different than the amount required by this  
 14 subsection.>

15 17. Page 9, after line 33 by inserting:  
 16 <Sec. \_\_\_\_ LOCAL ORDINANCES VOID — VALIDITY OF  
 17 PROCEEDINGS. On January 1, 2017, all local ordinances,  
 18 regulations, and rules not consistent with this Act are  
 19 void. However, this Act shall not affect the validity  
 20 of any proceeding brought or punishment imposed prior  
 21 to January 1, 2017, for a violation of such a local  
 22 ordinance, regulation, or rule.

23 Sec. \_\_\_\_ EFFECTIVE DATE. This Act takes effect  
 24 January 1, 2017.>

25 18. Title page, line 2, after <companies> by  
 26 inserting <and taxicabs, providing penalties>

27 19. Title page, line 2, after <including> by  
 28 inserting <effective date and>

29 20. By renumbering, redesignating, and correcting  
 30 internal references as necessary.

TOD R. BOWMAN



**S-5122**

1 Amend House File 2414, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. By striking everything after the enacting clause  
4 and inserting:  
5 <Section 1. Section 321.1, subsection 8, Code 2016,  
6 is amended by adding the following new paragraphs:  
7 NEW PARAGRAPH. *j.* A transportation network  
8 company driver, as defined in section 321N.1, is not  
9 a chauffeur.  
10 NEW PARAGRAPH. *k.* A person operating a taxicab  
11 having a seating capacity of less than seven passengers  
12 and not operating on a regular route or between  
13 specified points is not a chauffeur.  
14 Sec. 2. Section 321.40, Code 2016, is amended by  
15 adding the following new subsection:  
16 NEW SUBSECTION. 6A. *a.* The department or the  
17 county treasurer shall refuse to renew the registration  
18 of a vehicle registered to an applicant if the  
19 department or the county treasurer knows that the  
20 applicant has not paid a civil penalty imposed on the  
21 applicant pursuant to section 321N.3, subsection 3.  
22 An applicant may contest this action by requesting a  
23 contested case proceeding from the department. The  
24 department shall notify the county treasurers through  
25 the distributed teleprocessing network of persons who  
26 have not paid such civil penalties.  
27 *b.* The county treasurer of the county of an  
28 applicant's residence and in which the applicant's  
29 vehicle is registered, in cooperation with the  
30 department, may collect a civil penalty imposed on the  
31 applicant pursuant to section 321N.3, subsection 3,  
32 when the applicant applies for renewal of a vehicle  
33 registration. The applicant may remit full payment  
34 of the civil penalty, along with a processing fee  
35 of five dollars, to the county treasurer at the

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1 time of registration renewal. Upon full payment  
2 of the civil penalty, the processing fee, and the  
3 vehicle registration fee, the county treasurer shall  
4 issue the registration to the applicant. A county  
5 treasurer collecting a civil penalty on behalf of  
6 the department pursuant to this subsection shall  
7 update the vehicle registration records through the  
8 distributed teleprocessing network on a daily basis for  
9 all applicants who have paid civil penalties pursuant  
10 to this subsection. A county treasurer shall forward  
11 all funds collected on behalf of the department to the  
12 department.

13 Sec. 3. Section 321.236, subsection 7, Code 2016,  
14 is amended to read as follows:

15 7. Licensing and regulating the operation of  
16 vehicles offered to the public for hire and used  
17 principally in intracity operation, except to the  
18 extent such licensure and regulation conflicts with  
19 section 321.241, section 321N.11, section 325A.6, or  
20 any other provision of the Code.

21 Sec. 4. **NEW SECTION. 321.241 Regulation of**  
22 **taxicabs by local authorities — limits.**

23 1. A local authority shall not enact, enforce,  
24 or maintain any ordinance, regulation, or rule that  
25 imposes a requirement on a person operating a taxicab  
26 having a seating capacity of less than seven passengers  
27 and not operating on a regular route or between  
28 specified points that is more restrictive than any of  
29 the following:

30 a. Requiring the person to have a driver's license  
31 valid for the operation of the motor vehicle used as  
32 a taxicab that is not an instruction permit, special  
33 instruction permit, or temporary restricted license.

34 b. Prohibiting the person from operating the  
35 taxicab if any of the following apply:

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1 (1) The person is restricted to operating motor  
2 vehicles equipped with an ignition interlock device.

3 (2) The person's driving privileges have been  
4 suspended, revoked, barred, canceled, denied, or  
5 disqualified in the prior three-year period.

6 (3) The person has been convicted of more than  
7 three moving violations in the prior three-year period.

8 (4) The person has been convicted of violating  
9 section 321.218, 321.277, or 321J.21, or section  
10 321A.32, subsection 1, in the prior three-year period.

11 (5) The person has been convicted in the prior  
12 seven-year period of a felony, of violating section  
13 321J.2 or 321J.2A, or of any crime involving resisting  
14 law enforcement, dishonesty, injury to another person,  
15 damage to the property of another person, or operating  
16 a vehicle in a manner that endangers another person.

17 (6) The person is registered on the national sex  
18 offender registry.

19 2. A local authority shall not enact, enforce,  
20 or maintain any ordinance, regulation, or rule  
21 that requires a corporation, partnership, sole  
22 proprietorship, or other entity that sells or offers  
23 for sale transportation by taxicabs having a seating  
24 capacity of less than seven passengers and not  
25 operating on a regular route or between specified  
26 points to maintain a physical place of business in

27 the local authority's jurisdiction as a condition  
28 of operating such taxicabs in the local authority's  
29 jurisdiction.  
30 Sec. 5. Section 321.446, subsection 4, paragraph c,  
31 Code 2016, is amended to read as follows:  
32 c. If a child under fourteen years of age, or a  
33 child fourteen years of age or older who is unable  
34 to fasten a seatbelt due to a temporary or permanent  
35 disability, is being transported in a taxicab or in a

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1 personal vehicle operated by a transportation network  
2 company driver, as defined in section 321N.1, in a  
3 manner that is not in compliance with subsection 1 or  
4 2, the parent, legal guardian, or other responsible  
5 adult traveling with the child shall be served with a  
6 citation for a violation of this section in lieu of  
7 the taxicab operator or transportation network company  
8 driver. Otherwise, if a passenger being transported  
9 in the taxicab or in a personal vehicle operated by  
10 a transportation network company driver is fourteen  
11 years of age or older, the citation shall be served  
12 on the passenger in lieu of the taxicab operator or  
13 transportation network company driver.

14 Sec. 6. NEW SECTION. 321N.1 Definitions.

15 As used in this chapter, unless the context  
16 otherwise requires:

17 1. "*Department*" means the state department of  
18 transportation.

19 2. "*Digital network*" means an online-enabled  
20 application, internet site, or system offered or  
21 utilized by a transportation network company that  
22 enables transportation network company riders to  
23 prearrange rides with transportation network company  
24 drivers.

25 3. "*Personal vehicle*" means a noncommercial motor  
26 vehicle that is used by a transportation network  
27 company driver and is owned, leased, or otherwise  
28 authorized for use by the transportation network  
29 company driver. "*Personal vehicle*" does not include a  
30 taxicab, limousine, or other vehicle for hire.

31 4. "*Prearranged ride*" means the provision of  
32 transportation by a transportation network company  
33 driver to a transportation network company rider.  
34 A prearranged ride begins when a driver accepts a  
35 ride request from a rider through a digital network

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1 controlled by a transportation network company,  
2 continues while the driver transports the requesting  
3 rider, and ends when the last requesting rider departs

4 from the driver's personal vehicle. A prearranged  
 5 ride does not include transportation provided using a  
 6 taxicab, limousine, or other vehicle for hire, or a  
 7 shared expense carpool or vanpool arrangement.

8 5. "*Transportation network company*" or "*company*"  
 9 means a corporation, partnership, sole proprietorship,  
 10 or other entity that operates in this state and  
 11 uses a digital network to connect transportation  
 12 network company riders to transportation network  
 13 company drivers who provide prearranged rides. A  
 14 transportation network company is not deemed to  
 15 control, direct, or manage a transportation network  
 16 company driver that connects to its digital network,  
 17 or the driver's personal vehicle, except as agreed to  
 18 by the company and the driver pursuant to a written  
 19 contract.

20 6. "*Transportation network company driver*" or  
 21 "*driver*" means an individual who does all of the  
 22 following:

23 a. Receives connections to potential transportation  
 24 network company riders and other related services  
 25 from a transportation network company in exchange for  
 26 payment of a fee to the transportation network company.

27 b. Uses a personal vehicle to offer or provide  
 28 prearranged rides to transportation network company  
 29 riders upon connection through a digital network  
 30 controlled by a transportation network company in  
 31 return for compensation or payment of a fee.

32 7. "*Transportation network company rider*" or "*rider*"  
 33 means an individual or group of individuals who use  
 34 a transportation network company's digital network to  
 35 connect with a transportation network company driver to

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1 request a prearranged ride for the individual or group  
 2 of individuals, and who receive the prearranged ride in  
 3 the driver's personal vehicle between locations chosen  
 4 by the individual or group of individuals.

5 **Sec. 7. NEW SECTION. 321N.2 Permit required —**  
 6 **examination of records — sanctions.**

7 1. A transportation network company shall not  
 8 operate or conduct business in this state without a  
 9 permit issued pursuant to this section.

10 2. a. Upon the filing of an application by a  
 11 transportation network company with the department and  
 12 a determination by the department that the company is  
 13 in compliance with the provisions of this chapter, the  
 14 department shall issue a permit to the company. An  
 15 application filed pursuant to this section shall be in  
 16 writing and shall contain all of the following:

17 (1) The full legal name and tax identification

18 number of the applicant.

19 (2) The address of the applicant's principal place  
20 of business.

21 (3) A statement agreeing to comply with all  
22 applicable requirements of this chapter signed by the  
23 applicant.

24 (4) Proof of compliance with the financial  
25 responsibility requirements of section 321N.4,  
26 submitted in a manner prescribed by the department.

27 (5) Proof that the applicant has established a  
28 zero tolerance policy for the use of drugs and alcohol  
29 as provided in section 321N.3, submitted in a manner  
30 prescribed by the department.

31 (6) Proof that the applicant requires personal  
32 vehicles to comply with applicable motor vehicle  
33 equipment requirements as provided in section 321N.3,  
34 submitted in a manner prescribed by the department.

35 (7) Proof that the applicant has adopted and is

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1 enforcing nondiscrimination and accessibility policies,  
2 submitted in a manner prescribed by the department.

3 (8) Proof that the applicant has established  
4 record retention guidelines, submitted in a manner  
5 prescribed by the department, that comply with all of  
6 the following:

7 (a) A record of a prearranged ride shall be  
8 retained for at least six years after the date the  
9 prearranged ride was provided, unless the company is  
10 notified that the record is material to a judicial  
11 proceeding, in which case the record shall be retained  
12 for at least two years after final disposition of the  
13 judicial proceeding.

14 (b) A record of a transportation network company  
15 driver shall be retained for at least six years after  
16 the date on which the driver's activation on the  
17 company's digital network ended, unless the company  
18 is notified that the record is material to a judicial  
19 proceeding, in which case the record shall be retained  
20 for at least two years after final disposition of the  
21 judicial proceeding.

22 b. The permit application shall be accompanied by a  
23 fee of five thousand dollars. All fees received by the  
24 department for permits issued pursuant to this section  
25 shall be paid monthly to the treasurer of state and  
26 deposited in the road use tax fund.

27 3. A permit issued pursuant to this section shall  
28 be valid for one year after the date of issuance.

29 4. The department may deny issuance of a permit if  
30 the department determines, and evidence demonstrates,  
31 that the applicant is not in compliance or is unable to

32 comply with the provisions of this chapter.  
 33 5. The department may examine the records of a  
 34 transportation network company for the purpose of  
 35 enforcing this chapter. The examination may include

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1 a random sample of the company's records related to  
 2 transportation network company drivers and prearranged  
 3 rides. The examination shall take place at the  
 4 department's motor vehicle division building unless  
 5 another location is agreed to by the department and  
 6 the company. Such examinations shall not occur more  
 7 than twice per year unless additional examinations are  
 8 necessary to investigate a complaint. Records obtained  
 9 by the department pursuant to this subsection are not  
 10 public records or otherwise subject to disclosure  
 11 under chapter 22, and shall be kept confidential by the  
 12 department except to the extent such records may be  
 13 required to be disclosed in a departmental or judicial  
 14 proceeding.

15 6. The department may suspend the permit of a  
 16 transportation network company for a violation of this  
 17 chapter or a rule adopted under this chapter until the  
 18 company demonstrates to the department that the company  
 19 is in compliance with the applicable requirements. The  
 20 department may revoke the permit of a transportation  
 21 network company for continued noncompliance with this  
 22 chapter or a rule adopted under this chapter.

23 7. A transportation network company whose  
 24 application for a permit has been denied, or whose  
 25 permit has been suspended or revoked, shall have  
 26 all rights afforded to the company under chapter 17A  
 27 and rules adopted by the department to contest the  
 28 department's decision.

29 8. The department may adopt rules pursuant to  
 30 chapter 17A to administer this section.

31 Sec. 8. NEW SECTION. 321N.3 Exclusions — driver  
 32 requirements.

33 1. A transportation network company, a  
 34 transportation network company driver, or a personal  
 35 vehicle used to provide a prearranged ride is not a

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1 motor carrier as defined in section 325A.1, private  
 2 carrier as defined in section 325A.1, charter carrier  
 3 as defined in section 325A.12, or common carrier.

4 2. Prior to permitting an individual to act  
 5 as a transportation network company driver on a  
 6 transportation network company's digital network, the  
 7 company shall do all of the following:

8     *a.* Require the individual to submit an application  
9 to the company with the individual's name, address,  
10 and age, and with copies of the individual's driver's  
11 license, the registration for the personal vehicle the  
12 individual will use to provide prearranged rides, proof  
13 of financial liability coverage, as defined in section  
14 321.1, subsection 24B, covering the individual's use of  
15 the personal vehicle, proof of financial responsibility  
16 covering the individual in the types and amounts  
17 required by section 321N.4, and any other information  
18 required by the company.

19     *b.* Conduct, or instruct a third party to conduct,  
20 a local and national criminal background check on the  
21 individual and a search of the national sex offender  
22 registry database for the individual.

23     *c.* Obtain and review a driving history research  
24 report on the individual.

25     *d.* Obtain a disclosure form signed by the  
26 individual notifying the individual of all of the  
27 following:

28         (1) If a lien exists against a personal vehicle  
29 the individual intends to use while acting as a  
30 transportation network company driver, the individual  
31 is required to notify the lienholder within the  
32 seven-day period prior to using the vehicle for such  
33 purposes that the individual intends to use the vehicle  
34 for such purposes.

35         (2) If the individual is not the owner of the

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1 personal vehicle the individual intends to use while  
2 acting as a transportation network company driver,  
3 the individual is required to notify the owner of the  
4 vehicle within the seven-day period prior to using the  
5 vehicle for such purposes that the individual intends  
6 to use the vehicle for such purposes and that the  
7 owner's automobile insurance policy, depending on the  
8 policy's terms, may not provide any coverage while  
9 the individual is logged on to the company's digital  
10 network and is available to receive requests for a  
11 prearranged ride, or while the individual is engaged in  
12 a prearranged ride.

13         (3) Failure to notify a lienholder or an owner  
14 pursuant to this paragraph "d" shall result in the  
15 imposition of a civil penalty as provided in subsection  
16 3.

17     3. If an individual fails to notify a lienholder  
18 or an owner pursuant to subsection 2, the department  
19 shall assess a civil penalty against the individual in  
20 the amount of two hundred fifty dollars. All moneys  
21 collected by the department pursuant to this subsection

22 shall be paid monthly to the treasurer of state and  
23 deposited in the road use tax fund.  
24 4. A transportation network company shall not  
25 knowingly allow an individual to act as a driver on  
26 the company's digital network if any of the following  
27 apply:  
28 a. The individual does not have a driver's license  
29 valid for the operation of the personal vehicle.  
30 A driver's license valid for the operation of the  
31 personal vehicle shall not include an instruction  
32 permit, special instruction permit, or temporary  
33 restricted license.  
34 b. The individual is restricted to operating motor  
35 vehicles equipped with an ignition interlock device.

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1 c. The individual's driving privileges have been  
2 suspended, revoked, barred, canceled, denied, or  
3 disqualified in the prior three-year period.  
4 d. The individual has been convicted of more than  
5 three moving violations in the prior three-year period.  
6 e. The individual has been convicted of violating  
7 section 321.218, 321.277, or 321J.21, or section  
8 321A.32, subsection 1, in the prior three-year period.  
9 f. The individual has been convicted in the prior  
10 seven-year period of a felony, of violating section  
11 321J.2 or 321J.2A, or of any crime involving resisting  
12 law enforcement, dishonesty, injury to another person,  
13 damage to the property of another person, or operating  
14 a vehicle in a manner that endangers another person.  
15 g. The individual is registered on the national sex  
16 offender registry.  
17 h. The individual is not at least nineteen years of  
18 age.  
19 i. The individual is unable to provide any  
20 information required by this section.  
21 5. A transportation network company shall adopt and  
22 enforce a zero tolerance policy prohibiting the use of  
23 drugs or alcohol by a transportation network company  
24 driver while the driver is providing a prearranged ride  
25 or is logged on to the company's digital network and  
26 available to receive requests for transportation from  
27 potential riders. The policy shall include provisions  
28 providing for the investigation of alleged violations  
29 of the policy and the suspension of drivers under  
30 investigation.  
31 6. A transportation network company shall require  
32 that a personal vehicle used to provide prearranged  
33 rides shall comply with all applicable motor vehicle  
34 equipment requirements.  
35 Sec. 9. NEW SECTION. **321N.4 Financial**



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1 **responsibility.**

2 1. A transportation network company driver, or a  
3 transportation network company on the driver's behalf,  
4 shall maintain primary automobile insurance that does  
5 all of the following:

6 *a.* Recognizes that the driver is a transportation  
7 network company driver or that the driver otherwise  
8 uses a motor vehicle to transport passengers for  
9 compensation.

10 *b.* Covers the driver while the driver is logged on  
11 to the transportation network company's digital network  
12 and while the driver is engaged in a prearranged ride.

13 *c.* Covers the driver in the amounts set forth in  
14 subsections 2 and 3.

15 2. *a.* While a participating transportation network  
16 company driver is logged on to a transportation network  
17 company's digital network and is available to receive  
18 requests for a prearranged ride, but is not engaged  
19 in a prearranged ride, primary automobile insurance  
20 maintained pursuant to paragraph "c" shall cover the  
21 driver in the amount of at least fifty thousand dollars  
22 because of bodily injury to or death of one person in  
23 any one accident, the amount of at least one hundred  
24 thousand dollars because of bodily injury to or death  
25 of two or more persons in any one accident, and the  
26 amount of at least twenty-five thousand dollars because  
27 of injury to or destruction of property of others in  
28 any one accident.

29 *b.* The requirements of paragraph "a" shall be in  
30 addition to the automobile insurance requirements set  
31 forth in chapter 516A or any other provision of law.

32 *c.* The requirements of paragraph "a" may be  
33 satisfied by any of the following:

34 (1) Insurance maintained by the transportation  
35 network company driver.

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1 (2) Insurance maintained by the transportation  
2 network company.

3 (3) A combination of subparagraphs (1) and (2).

4 3. *a.* While a transportation network company  
5 driver is engaged in a prearranged ride, primary  
6 automobile insurance maintained pursuant to paragraph  
7 "c" shall cover the driver in the amount of at least  
8 one million dollars because of bodily injury to  
9 or death of one or more persons and injury to or  
10 destruction of property of others in any one accident.

11 *b.* The requirements of paragraph "a" shall be in  
12 addition to the automobile insurance requirements set

13 forth in chapter 516A or any other provision of law.

14 c. The requirements of paragraph “a” may be  
15 satisfied by any of the following:

16 (1) Insurance maintained by the transportation  
17 network company driver.

18 (2) Insurance maintained by the transportation  
19 network company.

20 (3) A combination of subparagraphs (1) and (2).

21 4. If insurance maintained by a transportation  
22 network company driver under this chapter lapses or  
23 does not provide coverage in the amounts required  
24 by subsections 2 and 3, insurance maintained by a  
25 transportation network company shall provide coverage  
26 in the amounts required by subsections 2 and 3  
27 beginning with the first dollar of a claim, and the  
28 company shall have a duty to defend the claim.

29 5. Coverage under an automobile insurance policy  
30 maintained by a transportation network company under  
31 this chapter shall not be dependent on the insurer  
32 of a driver’s personal vehicle first denying a claim,  
33 nor shall a personal automobile insurance policy be  
34 required to first deny a claim.

35 6. Insurance maintained under this chapter shall be

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1 provided by an insurer governed by chapter 515 or 518,  
2 or by a surplus lines insurer governed by chapter 515I.

3 A surplus lines insurer that issues a policy pursuant  
4 to this section shall be considered an insurance  
5 carrier duly authorized to transact business in this  
6 state for the purposes of chapter 321A.

7 7. Insurance maintained under this chapter shall  
8 be deemed to satisfy the financial responsibility  
9 requirements for a motor vehicle under chapter 321A.

10 8. A transportation network company driver shall  
11 carry proof of financial liability coverage, as  
12 required by section 321.20B, in the amounts required  
13 by subsections 2 and 3, at all times during which the  
14 driver uses a motor vehicle in connection with the  
15 use of a transportation network company’s digital  
16 network. In the event of an accident, the driver  
17 shall provide proof of financial liability coverage to  
18 any directly interested party or insurer, and to any  
19 investigating police officer, upon request and in a  
20 format provided for under section 321.20B. Upon such a  
21 request, the driver shall also disclose to any directly  
22 interested party or insurer, and to any investigating  
23 police officer, whether the driver was logged on  
24 to a company’s digital network or was providing a  
25 prearranged ride at the time of the accident.

26 Sec. 10. NEW SECTION. 321N.5 Disclosure

27 **requirements.**

28 A transportation network company shall disclose  
29 all of the following information to a transportation  
30 network company driver in writing before the driver may  
31 accept a request from a rider for a prearranged ride on  
32 the company's digital network:

33 1. The types, amounts, terms, and limits of  
34 automobile insurance provided by the company to the  
35 driver while the driver uses a personal vehicle in

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1 connection with the use of the company's digital  
2 network.

3 2. That the driver's own automobile insurance  
4 policy, depending on the policy's terms, may not  
5 provide any coverage while the driver is logged on  
6 to the company's digital network and is available to  
7 receive requests for a prearranged ride, or while the  
8 driver is engaged in a prearranged ride.

9 Sec. 11. NEW SECTION. **321N.6 Insurers.**

10 1. *a.* Notwithstanding any other provision of law  
11 to the contrary, an insurer that writes automobile  
12 insurance within this state may exclude any and all  
13 coverage afforded to an insured person under a policy  
14 issued to the owner or operator of a personal vehicle  
15 for any injury or loss that occurs while the insured  
16 is logged on to a transportation network company's  
17 digital network or while the insured is providing a  
18 prearranged ride. This right to exclude coverage  
19 may apply to any type of coverage provided for in  
20 the insured's policy, including but not limited to  
21 liability coverage for bodily injury and property  
22 damage, personal injury protection coverage, uninsured  
23 and underinsured motorist coverage, medical payments  
24 coverage, comprehensive physical damage coverage, and  
25 collision physical damage coverage.

26 *b.* This chapter shall not be construed to require  
27 an insurer to provide coverage to an individual while  
28 the individual is logged on to a company's digital  
29 network, is engaged in a prearranged ride, or is  
30 otherwise transporting another individual or group of  
31 individuals in a vehicle for compensation.

32 *c.* This chapter shall not be construed to preclude  
33 an insurer from providing coverage for a transportation  
34 network company driver's personal vehicle, if the  
35 insurer chooses to do so by contract or endorsement.

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1 2. *a.* An insurer that excludes coverage pursuant  
2 to subsection 1 shall not have a duty to defend or  
3 indemnify a claim expressly excluded from a policy

4 issued by the insurer. This chapter shall not be  
 5 deemed to invalidate or limit an exclusion contained  
 6 in a policy, including a policy in use or approved for  
 7 use in this state prior to the effective date of this  
 8 Act, that excludes coverage for vehicles used to carry  
 9 individuals or property for compensation or vehicles  
 10 available for hire by the public.

11 *b.* An insurer that defends or indemnifies a claim  
 12 against an insured transportation network company  
 13 driver that is excluded under the terms of the driver's  
 14 policy shall have a right of action for contribution  
 15 or indemnity against an insurer providing automobile  
 16 insurance to the driver under this chapter during the  
 17 period in which the loss occurred.

18 3. In a claims coverage investigation, any involved  
 19 transportation network company and any insurer  
 20 providing coverage pursuant to this chapter shall  
 21 cooperate to facilitate the exchange of relevant  
 22 information with one another, and with any insurer  
 23 of the transportation network company driver, where  
 24 applicable, including but not limited to the precise  
 25 times during which the driver logged on and off of the  
 26 company's digital network in the twelve-hour period  
 27 immediately preceding and in the twelve-hour period  
 28 immediately following the accident, and shall disclose  
 29 to one another a clear description of any relevant  
 30 automobile insurance provided pursuant to this chapter,  
 31 including any applicable limits and exclusions.

32 **Sec. 12. NEW SECTION. 321N.7 Identification of**  
 33 **drivers and vehicles.**

34 Before a transportation network company rider  
 35 enters the personal vehicle of a transportation network

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1 company driver, the transportation network company  
 2 shall disclose all of the following information to the  
 3 rider on the company's digital network:

4 1. A picture that prominently displays the face of  
 5 the driver.

6 2. The make, model, and registration plate number  
 7 of the personal vehicle used by the driver.

8 **Sec. 13. NEW SECTION. 321N.8 Electronic receipt.**

9 Within a reasonable period of time following  
 10 the completion of a prearranged ride provided  
 11 to a transportation network company rider, the  
 12 transportation network company shall transmit an  
 13 electronic receipt to the rider containing all of the  
 14 following information:

15 1. The origin and destination of the trip.

16 2. The total time and distance of the trip.

17 3. An itemized account of the total fare paid by

18 the rider, if any.

19 Sec. 14. NEW SECTION. **321N.9 Street hails**  
20 **prohibited.**

21 A transportation network company driver shall not  
22 solicit or accept riders hailing the driver from the  
23 street.

24 Sec. 15. NEW SECTION. **321N.10 Disclosure of**  
25 **personal information.**

26 1. A transportation network company shall not  
27 disclose a transportation network company rider's  
28 personal information to a third party unless the rider  
29 consents to the disclosure, the disclosure is required  
30 by law, the disclosure is required to protect or defend  
31 the terms of use of the company's services, or the  
32 disclosure is required to investigate a violation  
33 of the terms of use. For purposes of this section,  
34 "*personal information*," includes but is not limited to  
35 the rider's name, home address, telephone number, and

Page 18

1 payment information.

2 2. Notwithstanding subsection 1, a transportation  
3 network company may disclose a rider's name and  
4 telephone number to the driver providing a prearranged  
5 ride to the rider in order to facilitate the  
6 identification of the rider by the driver, or to  
7 facilitate communication between the rider and the  
8 driver.

9 Sec. 16. NEW SECTION. **321N.11 Regulation by**  
10 **political subdivisions prohibited — exception.**

11 1. *a.* Except as otherwise provided in this  
12 section, transportation network companies,  
13 transportation network company drivers, and personal  
14 vehicles, in the course of their operation pursuant  
15 to this chapter, shall be exclusively controlled,  
16 supervised, and regulated by the department in  
17 accordance with this chapter.

18 *b.* Except as otherwise provided in this section,  
19 no provision of this chapter shall be construed to  
20 authorize a political subdivision of the state to  
21 enact an ordinance regulating transportation network  
22 companies, transportation network company drivers, or  
23 personal vehicles operated pursuant to this chapter.

24 2. No provision of this chapter shall be construed  
25 to limit the rights and powers of a commercial service  
26 airport, as defined in 49 U.S.C. §47102, to do any of  
27 the following:

28 *a.* Regulate the operation of motor vehicles on  
29 the airport's premises in accordance with rules,  
30 regulations, and policies adopted for the orderly use  
31 of the airport.

32     *b.* Establish, alter, and collect rates, fees,  
 33 rental payments, or other charges for the use of the  
 34 airport's services and facilities.  
 35     Sec. 17. Section 325A.1, subsections 6, 7, and 13,

Page 19

1 Code 2016, are amended to read as follows:  
 2     6. "*Motor carrier*" means a person defined in  
 3 subsection 8, 9, or 10, but does not include a  
 4 transportation network company or a transportation  
 5 network company driver, as defined in section 321N.1.  
 6     7. "*Motor carrier certificate*" means a certificate  
 7 issued by the department to any person transporting  
 8 passengers on any highway of this state for hire,  
 9 other than a transportation network company or a  
 10 transportation network company driver, as defined in  
 11 section 321N.1. This certificate is transferable.  
 12     13. "*Private carrier*" means a person who provides  
 13 transportation of property or passengers by motor  
 14 vehicle, is not a for-hire motor carrier or a  
 15 transportation network company or a transportation  
 16 network company driver, as defined in section 321N.1,  
 17 or who transports commodities of which the person is  
 18 the owner, lessee, or bailee and the transportation  
 19 is a furtherance of the person's primary business or  
 20 occupation.  
 21     Sec. 18. Section 325A.2, subsection 2, Code 2016,  
 22 is amended to read as follows:  
 23     2. A local authority, as defined in section 321.1,  
 24 shall not impose any regulations, including special  
 25 registration or inspection requirements, upon the  
 26 operation of motor carriers that are more restrictive  
 27 than any of the provisions of this chapter, or section  
 28 321.449 or 321.450. This subsection does not, however,  
 29 prohibit a local authority from exercising the home  
 30 rule power of the local authority to impose additional  
 31 or more restrictive regulations or requirements upon  
 32 the operation of taxicabs or limousines engaged in  
 33 nonfixed route transportation for hire, except to the  
 34 extent such regulations or requirements conflict with  
 35 section 321.241, section 325A.6, or any other provision

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1 of the Code.  
 2     Sec. 19. Section 325A.6, Code 2016, is amended to  
 3 read as follows:  
 4     **325A.6 Insurance.**  
 5     1. ~~All~~ Except as provided in subsection 2, all  
 6 motor carriers subject to this chapter shall have  
 7 minimum insurance coverage which meets the limits

8 established in the federal motor carrier safety  
9 regulations in 49 C.F.R. pt. 387.  
10 2. All motor vehicles providing taxicab services,  
11 having a seating capacity of less than seven  
12 passengers, and not operating on a regular route  
13 or between specified points shall maintain primary  
14 automobile insurance in the amount of at least one  
15 million dollars because of bodily injury to or death  
16 of one or more persons and injury to or destruction of  
17 property of others in any one accident. A political  
18 subdivision of the state shall not enact an ordinance  
19 requiring insurance coverage for such vehicles in  
20 an amount different than the amount required by this  
21 subsection.

22 Sec. 20. Section 325A.11, Code 2016, is amended to  
23 read as follows:

24 **325A.11 Passenger transportation.**

25 In addition to the requirements of subchapter 1,  
26 motor carriers of passengers and charter carriers shall  
27 comply with the requirements of this subchapter. A  
28 transportation network company or a transportation  
29 network company driver, as defined in section 321N.1,  
30 need not comply with the requirements of subchapter 1  
31 or this subchapter.

32 Sec. 21. Section 325A.12, subsection 3, Code 2016,  
33 is amended by adding the following new paragraph:  
34 NEW PARAGRAPH. e. A transportation network company  
35 or a transportation network company driver, as defined

Page 21

1 in section 321N.1.

2 Sec. 22. Section 327D.1, Code 2016, is amended to  
3 read as follows:

4 **327D.1 Applicability of chapter.**

5 This chapter applies to intrastate transportation  
6 by for-hire common carriers of persons and property.  
7 However, this chapter does not apply to regular route  
8 motor carriers of passengers or charter carriers, as  
9 defined under section 325A.12, or a transportation  
10 network company or a transportation network company  
11 driver, as defined in section 321N.1.

12 Sec. 23. LOCAL ORDINANCES VOID — VALIDITY OF  
13 PROCEEDINGS. On January 1, 2017, all local ordinances,  
14 regulations, and rules not consistent with this Act are  
15 void. However, this Act shall not affect the validity  
16 of any proceeding brought or punishment imposed prior  
17 to January 1, 2017, for a violation of such a local  
18 ordinance, regulation, or rule.

19 Sec. 24. EFFECTIVE DATE. This Act takes effect  
20 January 1, 2017.

21 Sec. 25. APPLICABILITY OF INSURANCE PROVISIONS.

22 The section of this Act enacting section 321N.4 shall  
 23 apply on and after the date of approval of the form  
 24 filings necessary to implement section 321N.4 by the  
 25 commissioner of insurance as required under 191 IAC  
 26 20.4.>  
 27 2. Title page, line 2, after <companies> by  
 28 inserting <and taxicabs, providing penalties>  
 29 3. Title page, line 2, after <including> by  
 30 inserting <effective date and>

TOD R. BOWMAN

**S-5123**

1 Amend Senate File 2299 as follows:  
 2 1. Page 1, by striking lines 7 through 19.  
 3 2. Page 1, before line 20 by inserting:  
 4 <Sec. \_\_. Section 256I.4, subsection 7, paragraph  
 5 a, Code 2016, is amended to read as follows:  
 6 a. Waiver of existing rules, federal regulation, or  
 7 amendment of state law, or removal of other barriers.  
 8 The state board shall consider a community's current  
 9 coverage of family support programs and services when  
 10 responding to an area board's request for a waiver  
 11 from the requirement in section 256I.9, subsection 3,  
 12 paragraph "b".>  
 13 3. Page 2, by striking line 25 and inserting  
 14 <relationships and services between community  
 15 providers.>  
 16 4. Page 2, line 31, by striking <collaboratively>  
 17 and inserting <~~collaboratively~~>  
 18 5. Page 3, by striking lines 14 through 20 and  
 19 inserting:  
 20 <b. (1) Family support services and parent  
 21 education programs promoted to parents of children from  
 22 zero through age five. Family support services shall  
 23 include but are not limited to home visitation and  
 24 parent education. Of the state funding that an area  
 25 board designates for family support programs, at least  
 26 sixty percent shall be committed to programs with a  
 27 home visitation component.>  
 28 6. Page 4, line 2, by striking <developed> and  
 29 inserting <identified>  
 30 7. Page 4, by striking line 10 and inserting <the  
 31 community plan, the state board shall require a plan  
 32 of>  
 33 8. By renumbering as necessary.

MICHAEL E. GRONSTAL



**S-5124**

1 Amend the amendment, S-5122, to House File 2414,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 1, by striking line 5 and inserting:  
 5 <<DIVISION I  
 6 TRANSPORTATION NETWORK COMPANIES AND TAXICABS  
 7 Section 1. Section 321.1, subsection 8, Code 2016,>  
 8 2. Page 16, line 8, before <Act> by inserting  
 9 <division of this>  
 10 3. Page 21, line 14, after <this> by inserting  
 11 <division of this>  
 12 4. Page 21, line 15, after <this> by inserting  
 13 <division of this>  
 14 5. Page 21, line 19, after <This> by inserting  
 15 <division of this>  
 16 6. Page 21, by striking line 26 and inserting  
 17 <20.4.

**DIVISION II****RAILROAD WORKER TRANSPORTATION COMPANIES**

20 Sec. \_\_\_\_\_. Section 327F.39, Code 2016, is amended by  
 21 adding the following new subsection:  
 22 NEW SUBSECTION. 5A. *Insurance*. A railroad worker  
 23 transportation company shall maintain financial  
 24 liability coverage, as defined in section 321.1,  
 25 subsection 24B, for each motor vehicle owned by the  
 26 company or operated by a driver on behalf of the  
 27 company in the amount of at least one million dollars  
 28 because of bodily injury to or death of one or more  
 29 persons and injury to or destruction of property  
 30 of others in any one accident. A railroad worker  
 31 transportation company shall also maintain uninsured  
 32 and underinsured motor vehicle coverage for each motor  
 33 vehicle owned by the company or operated by a driver on  
 34 behalf of the company in the amount of at least five  
 35 hundred thousand dollars because of bodily injury to or

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1 death of one person in any one accident, one million  
 2 dollars because of bodily injury to or death of two  
 3 persons in any one accident, one million five hundred  
 4 thousand dollars because of bodily injury to or death  
 5 of three persons in any one accident, and two million  
 6 dollars because of bodily injury to or death of four or  
 7 more persons in any one accident.>>  
 8 7. Page 21, by striking lines 27 through 30 and  
 9 inserting:  
 10 <\_\_\_\_\_. Title page, by striking lines 1 and 2  
 11 and inserting <An Act providing for the regulation  
 12 of transportation network companies and taxicabs,

13 requiring certain amounts of insurance coverage for  
 14 motor vehicles of railroad worker transportation  
 15 companies, providing penalties, and including effective  
 16 date and applicability provisions.>>  
 17 8. By renumbering as necessary.

RICH TAYLOR

S-5125

HOUSE AMENDMENT TO  
 SENATE FILE 2304

1 Amend Senate File 2304, as passed by the Senate, as  
 2 follows:  
 3 1. By striking everything after the enacting clause  
 4 and inserting:  
 5 <Section 1. **NEW SECTION. 237C.1 Definitions.**  
 6 As used in this chapter, unless the context  
 7 otherwise requires:  
 8 1. "*Administrator*" means the administrator of that  
 9 division of the department designated by the director  
 10 of human services to administer this chapter or the  
 11 administrator's designee.  
 12 2. "*Child*" or "*children*" means an individual or  
 13 individuals under eighteen years of age.  
 14 3. "*Children's residential facility*" means a  
 15 private facility designed to serve children who have  
 16 been voluntarily placed for reasons other than an  
 17 exclusively recreational activity outside of their  
 18 home by a parent or legal guardian and who are not  
 19 under the custody or authority of the department of  
 20 human services, juvenile court, or another governmental  
 21 agency, that provides twenty-four hour care, including  
 22 food, lodging, supervision, education, or other care on  
 23 a full-time basis by a person other than a relative or  
 24 guardian of the child, but does not include an entity  
 25 providing any of the following:  
 26 a. Care furnished by an individual who receives  
 27 the child of a personal friend as an occasional and  
 28 personal guest in the individual's home, free of charge  
 29 and not as a business.  
 30 b. Care furnished by an individual with whom a  
 31 child has been placed for lawful adoption, unless  
 32 that adoption is not completed within two years after  
 33 placement.  
 34 c. Child care furnished by a child care facility as  
 35 defined in section 237A.1.

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1 *d.* Care furnished in a hospital licensed under  
2 chapter 135B or care furnished in a health care  
3 facility as defined in section 135C.1.  
4 *e.* Care furnished by a juvenile detention home  
5 or juvenile shelter care home approved under section  
6 232.142.  
7 *f.* Care furnished by a child foster care facility  
8 licensed under chapter 237.  
9 *g.* Care furnished by an institution listed in  
10 section 218.1.  
11 *h.* Care furnished by a facility licensed under  
12 chapter 125.  
13 *i.* Care furnished by a psychiatric medical  
14 institution for children licensed under chapter 135H.  
15 *j.* Care furnished by a bona fide religious  
16 institution.  
17 4. “*Department*” means the department of human  
18 services.  
19 Sec. 2. NEW SECTION. 237C.2 Purpose.  
20 It is the policy of this state to provide  
21 appropriate protection for children who are separated  
22 from the direct personal care of their parents,  
23 relatives, or guardians and, therefore, the purpose  
24 of this chapter is to provide for the development,  
25 establishment, and enforcement of standards relating to  
26 the certification of children’s residential facilities.  
27 Sec. 3. NEW SECTION. 237C.3 Certification  
28 **standards — consultation with other agencies.**  
29 1. The department of human services shall consult  
30 with the department of education, the department of  
31 inspections and appeals, the department of public  
32 health, the state fire marshal, and other agencies  
33 as determined by the department of human services  
34 to establish certification standards for children’s  
35 residential facilities in accordance with this chapter.

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1 2. Standards established by the department under  
2 this chapter shall at a minimum address the basic  
3 health and educational needs of children; protection  
4 of children from mistreatment, abuse, and neglect;  
5 background and records checks of persons providing  
6 care to children in facilities certified under this  
7 chapter; the use of seclusion, restraint, or other  
8 restrictive interventions; health; safety; emergency;  
9 and the physical premises on which care is provided  
10 by a children’s residential facility. The background  
11 check requirements shall be substantially equivalent to  
12 those applied under chapter 237 for a child foster care

13 facility provider.

14 Sec. 4. **NEW SECTION. 237C.4 Rules and standards**  
15 **— requirements.**

16 1. Except as otherwise provided in this section,  
17 the department shall adopt rules pursuant to chapter  
18 17A to administer this chapter.

19 2. Before the administrator issues or reissues a  
20 certificate of approval to a children’s residential  
21 facility under section 237C.7, the facility shall  
22 comply with standards adopted by the state fire marshal  
23 under chapter 100.

24 3. Rules governing sanitation, water, and waste  
25 disposal standards for children’s residential  
26 facilities shall be adopted by the department of human  
27 services in consultation with the director of public  
28 health.

29 4. Rules governing educational programs and  
30 education services provided by children’s residential  
31 facilities shall be adopted by the state board of  
32 education pursuant to section 282.34.

33 5. In the case of a conflict between rules adopted  
34 pursuant to subsections 2 and 3 and local rules, the  
35 more stringent requirement applies.

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1 Sec. 5. **NEW SECTION. 237C.5 Certificate of**  
2 **approval — certification required.**

3 A person shall not operate a children’s residential  
4 facility without a certificate of approval to operate  
5 issued by the administrator under this chapter.

6 Sec. 6. **NEW SECTION. 237C.6 Bona fide religious**  
7 **institution — notification required.**

8 1. If care is furnished by a facility that is  
9 a bona fide religious institution exempt from the  
10 definition of children’s residential facility under  
11 section 237C.1, subsection 3, paragraph “j”, but that  
12 would otherwise qualify as a children’s residential  
13 facility under section 237C.1, subsection 3, the  
14 facility shall do all of the following:

15 a. Notify the department of human services in  
16 writing of the existence of the facility within thirty  
17 days of commencing operation.

18 b. Allow annually one scheduled inspection and  
19 one unannounced inspection of the facility by a  
20 representative of the department of inspections and  
21 appeals.

22 c. Authorize reasonable and timely access to  
23 clients and staff of the facility by a representative  
24 of the department of human services who is responsible  
25 for investigating an allegation of abuse.

26 d. Comply with standards adopted by the state fire

27 marshal under chapter 100.  
28 e. Meet the sanitation, water, and waste disposal  
29 standards adopted by rule by the department of human  
30 services under section 237C.4.  
31 2. This section shall not be construed to require  
32 a facility that is a bona fide religious institution  
33 exempt from the definition of children's residential  
34 facility under section 237C.1, subsection 3, paragraph  
35 "j", but that would otherwise qualify as a children's

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1 residential facility under section 237C.1, subsection  
2 3, to apply for or obtain a certificate of approval  
3 under section 237C.7.  
4 Sec. 7. NEW SECTION. 237C.7 Certificate  
5 **application and issuance — denial, suspension, or**  
6 **revocation.**  
7 1. A person shall apply for a certificate to  
8 operate a children's residential facility by completing  
9 and submitting to the administrator an application in  
10 a form and format approved by the administrator. The  
11 administrator shall issue or reissue a certificate  
12 of approval if the administrator determines that the  
13 applicant is or upon commencing operation will provide  
14 children's residential facility services in compliance  
15 with this chapter. A certificate of approval is valid  
16 for up to one year from the date of issuance for the  
17 period determined by the administrator in accordance  
18 with administrative rules providing criteria for making  
19 the determination.  
20 2. The certificate of approval shall state on  
21 its face the name of the holder of the certificate,  
22 the particular premises for which the certificate is  
23 issued, and the number of children who may be cared for  
24 by the children's residential facility on the premises  
25 at one time under the certificate of occupancy issued  
26 by the state fire marshal or the state fire marshal's  
27 designee. The certificate of approval shall be posted  
28 in a conspicuous place in the children's residential  
29 facility.  
30 3. The administrator may deny an application for  
31 issuance or reissuance of a certificate of approval  
32 or suspend or revoke a certificate of approval if  
33 the applicant or certificate holder, as applicable,  
34 fails to comply with this chapter or the rules adopted  
35 pursuant to this chapter or knowingly makes a false

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1 statement concerning a material fact or conceals a  
 2 material fact on the application for the issuance or  
 3 reissuance of a certificate of approval or in a report  
 4 regarding operation of the children's residential  
 5 facility submitted to the administrator. All  
 6 operations of a children's residential facility shall  
 7 cease during a period of suspension or revocation. The  
 8 administrator shall suspend or revoke a certificate  
 9 of approval of a children's residential facility that  
 10 fails to comply with section 282.34.

11 Sec. 8. NEW SECTION. **237C.8 Restricted use of**  
 12 **facility.**

13 A children's residential facility shall operate  
 14 only in a building or on premises designated in the  
 15 certificate of approval.

16 Sec. 9. NEW SECTION. **237C.9 Reports and**  
 17 **inspections.**

18 The administrator may require submission of reports  
 19 by a certificate of approval holder and shall cause at  
 20 least one annual unannounced inspection of a children's  
 21 residential facility to assess compliance with  
 22 applicable requirements and standards. The inspections  
 23 shall be conducted by the department of inspections  
 24 and appeals in addition to initial, renewal, and  
 25 other inspections that result from complaints or  
 26 self-reported incidents. The department of inspections  
 27 and appeals and the department of human services may  
 28 examine records of a children's residential facility  
 29 and may inquire into matters concerning the children's  
 30 residential facility and its employees, volunteers, and  
 31 subcontractors relating to requirements and standards  
 32 for children's residential facilities under this  
 33 chapter.

34 Sec. 10. NEW SECTION. **237C.10 Injunctive relief**  
 35 **— civil action.**

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1 1. A person who establishes, conducts, manages,  
 2 or operates a children's residential facility without  
 3 a certificate of approval required pursuant to this  
 4 chapter, or a children's residential facility with  
 5 a certificate of approval that is not operating in  
 6 compliance with rules adopted pursuant to this chapter  
 7 or section 282.34, may be restrained by temporary  
 8 or permanent injunction from providing children's  
 9 residential facility services or from other involvement  
 10 with child care. The action may be instituted by the  
 11 state or a county attorney.

12 2. The parent or legal guardian of a child who is

13 placed in a children's residential facility, the state,  
 14 the department of education, or the school district  
 15 in which the children's residential facility is  
 16 located, may bring a civil action seeking relief from  
 17 conduct constituting a violation of this chapter or  
 18 section 282.34 or to prevent, restrain, or remedy such  
 19 violation. A civil action brought by the department  
 20 of education shall be limited to seeking relief from  
 21 conduct constituting a violation of section 282.34.  
 22 Multiple petitioners may join in a single action under  
 23 this subsection.

24 3. If successful in obtaining injunctive relief  
 25 under this section, the petitioner shall be awarded  
 26 reasonable attorney fees and court costs.

27 Sec. 11. NEW SECTION. **237C.11 Notice and hearings**  
 28 **— judicial review.**

29 The procedure governing notice and hearing to deny  
 30 an application or suspend or revoke a certificate of  
 31 approval shall be in accordance with rules adopted by  
 32 the department.

33 Sec. 12. NEW SECTION. **282.34 Educational programs**  
 34 **for children's residential facilities.**

35 1. A children's residential facility operating

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1 under a certificate of approval issued under chapter  
 2 237C shall do all of the following:  
 3 a. Provide an educational program and appropriate  
 4 education services to children residing in the  
 5 children's residential facility by contracting with the  
 6 school district in which the children's residential  
 7 facility is located, contracting with an accredited  
 8 nonpublic school, or becoming accredited as a nonpublic  
 9 school through the standards and accreditation process  
 10 described in section 256.11 and adopted by rule by the  
 11 state board of education.

12 b. Display prominently in all of its major  
 13 publications and on its internet site a notice  
 14 accurately describing the educational program and  
 15 educational services provided by the children's  
 16 residential facility.

17 c. Include in any promotional, advertising,  
 18 or marketing materials regarding the children's  
 19 residential facility, available in print or via  
 20 the internet, all fees charged by the children's  
 21 residential facility for the services offered or  
 22 provided by the children's residential facility and its  
 23 refund policy for the return of refundable portions of  
 24 any fees.

25 2. The state board of education shall adopt by rule  
 26 pursuant to chapter 17A standards for the following:

27 a. Educational programs and appropriate educational  
 28 services provided under this section.  
 29 b. Contracts between children’s residential  
 30 facilities and school districts or accredited nonpublic  
 31 schools.  
 32 c. Notices displayed in accordance with subsection  
 33 1, paragraph “b”.  
 34 3. A contract that fails to comply with any of the  
 35 requirements of subsection 1, or with standards adopted

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1 by the state board of education under subsection 2, is  
 2 void.  
 3 Sec. 13. REPEAL. Chapter 237B, Code 2016, is  
 4 repealed.  
 5 Sec. 14. REPORT REQUIREMENT. By January 1, 2017,  
 6 the department of human services, the department of  
 7 education, the department of public health, and the  
 8 state fire marshal shall each submit a report to the  
 9 general assembly concerning their progress in adopting  
 10 rules as appropriate under sections 237C.4 and 282.34,  
 11 as enacted by this Act.  
 12 Sec. 15. EXISTING FACILITY OPERATED BY BONA FIDE  
 13 RELIGIOUS INSTITUTION. A facility in existence on the  
 14 effective date of this Act, and which is exempt from  
 15 the definition of children’s residential facility under  
 16 section 237C.1, subsection 3, paragraph “j”, but which  
 17 would otherwise qualify as a children’s residential  
 18 facility under section 237C.1, subsection 3, shall  
 19 notify the department of human services in writing of  
 20 its existence within thirty days of the effective date  
 21 of this Act.>

## S-5126

1 Amend House File 2392, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 4, line 10, after <systems.> by inserting  
 4 <The rules adopted under this section shall  
 5 establish an approval process for the approval of a  
 6 vendor-provided career information and decision-making  
 7 system which school districts may use in compliance  
 8 with this section.>  
 9 2. Page 10, after line 20 by inserting:  
 10 <Sec. \_\_. Section 256.7, subsection 26, paragraph  
 11 a, subparagraph (3), Code 2016, is amended to read as  
 12 follows:  
 13 (3) The rules establishing a core curriculum shall  
 14 address the core content standards in subsection 28 and  
 15 the skills and knowledge students need to be successful  
 16 in the twenty-first century. The core curriculum



17 shall include social studies and twenty-first century  
 18 learning skills which include but are not limited to  
 19 civic literacy, health literacy, technology literacy,  
 20 financial literacy, family life and consumer sciences,  
 21 and employability skills; and shall address the  
 22 curricular needs of students in kindergarten through  
 23 grade twelve in those areas. The state board shall  
 24 further define the twenty-first century learning skills  
 25 components by rule.>

26 3. Page 12, lines 1 and 2, by striking < including  
 27 hospitality and tourism>

28 4. Page 12, by striking lines 3 through 17 and  
 29 inserting:

30 < (02) Instruction Instructional programs provided  
 31 under subparagraph (1) shall comply with the provisions  
 32 of chapter 258 relating to career and technical  
 33 education, and shall be competency based, articulated  
 34 with postsecondary programs of study, and include  
 35 field, laboratory, or on-the-job training. Each

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1 sequential unit shall ~~include instruction in a minimum~~  
 2 ~~set of competencies established~~ contain a portion of a  
 3 career and technical education program approved by the  
 4 ~~department of education that relate to the following:~~  
 5 Standards for instructional programs shall include  
 6 but not be limited to new and emerging technologies;  
 7 job-seeking, job-adaptability, and other employment,  
 8 self-employment and entrepreneurial skills that  
 9 reflect current industry standards and labor-market  
 10 needs; and reinforcement of basic academic skills.  
 11 ~~The instructional programs shall also comply with~~  
 12 ~~the provisions of chapter 258 relating to vocational~~  
 13 ~~education. However, this paragraph does not apply~~  
 14 ~~to the teaching of vocational education in nonpublic~~  
 15 ~~schools.>~~

16 5. Page 12, after line 23 by inserting:

17 < (3) This paragraph "h" does not apply to the  
 18 teaching of career and technical education in nonpublic  
 19 schools.>

20 6. Page 19, line 4, by striking <districts, which>  
 21 and inserting <districts, ~~which that~~>

22 7. Page 19, line 5, by striking <which that> and  
 23 inserting <which>

24 8. Page 19, line 6, by striking <education,> and  
 25 inserting <education;>

26 9. Page 21, after line 30 by inserting:

27 < 9A. "Work-based learning" means opportunities and  
 28 experiences that include but are not limited to tours,  
 29 job shadowing, rotations, mentoring, entrepreneurship,  
 30 service learning, internships, and apprenticeships.>

31 10. Page 27, line 15, by striking <or> and  
 32 inserting <and>  
 33 11. Page 27, line 19, after <region.> by inserting  
 34 <In convening the regional career and technical  
 35 education planning partnership, the area education

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1 agency and the community college shall include  
 2 stakeholders from each member district of the  
 3 partnership.>  
 4 12. Page 39, after line 27 by inserting:  
 5 <Sec. \_\_\_. DEPARTMENT OF EDUCATION — CAREER AND  
 6 TECHNICAL EDUCATION STATUS REPORT. The department  
 7 of education shall submit a report to the general  
 8 assembly by January 16, 2017, detailing the progress  
 9 in implementing the provisions of this division of  
 10 this Act. The report shall establish a timeline by  
 11 which the provisions of this division of this Act  
 12 shall be fully implemented, including but not limited  
 13 to adoption of rules by the state board of education.  
 14 The report shall also identify the measures by which  
 15 regional career and technical education planning  
 16 partnerships will be evaluated, including the measures  
 17 to be undertaken by the regional career and technical  
 18 education planning partnerships to ensure that career  
 19 and technical education teachers for grades seven  
 20 through twelve receive high-quality professional  
 21 development opportunities geared toward updating and  
 22 enhancing their instructional and technical skills.  
 23 Sec. \_\_\_. CAREER AND TECHNICAL EDUCATION  
 24 IMPLEMENTATION INTERIM STUDY COMMITTEE. The  
 25 legislative council shall establish an interim study  
 26 committee composed of members of the senate and the  
 27 house of representatives to meet during the 2019  
 28 legislative interim. The committee, in consultation  
 29 with former members of the secondary career and  
 30 technical programming task force convened pursuant to  
 31 2013 Iowa Acts, chapter 141, section 52, shall study  
 32 administrative rules implementing this division of  
 33 this Act, including an assessment of the membership  
 34 of the regional career and technical education  
 35 planning partnerships to assure that all affected

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1 groups have substantial representation, and any other  
 2 matters concerning implementation of this division of  
 3 this Act. The committee shall submit its findings  
 4 and recommendations to the general assembly for

5 consideration during the 2020 legislative session.>  
6 13. By renumbering, redesignating, and correcting  
7 internal references as necessary.

HERMAN C. QUIRMBACH

**S-5127**

1 Amend House File 2273, as passed by the House, as  
2 follows:

3 1. Page 1, before line 1 by inserting:

4 <DIVISION I  
5 GENERAL PROVISIONS>

6 2. Page 5, after line 5 by inserting:

7 <DIVISION \_\_\_\_  
8 EMERGENCY PROVISIONS

9 Sec. \_\_\_\_ Section 53.17, subsection 1, paragraph b,  
10 Code 2016, is amended to read as follows:

11 b. The sealed return envelope may be mailed to  
12 the commissioner by the registered voter or by the  
13 voter's designee. If mailed by the voter's designee,  
14 the envelope must be mailed within seventy-two hours  
15 of retrieving it from the voter or within time to be  
16 postmarked or to be processed to bear an intelligent  
17 mail barcode showing the date of entry into the federal  
18 mail system not later than the day before the election,  
19 whichever is earlier.

20 Sec. \_\_\_\_ Section 53.17, subsection 2, Code 2016,  
21 is amended to read as follows:

22 2. In order for the ballot to be counted, the  
23 return envelope must be received in the commissioner's  
24 office before the polls close on election day or be  
25 clearly postmarked by an officially authorized postal  
26 service or bear an intelligent mail barcode showing  
27 the date of entry into the federal mail system not  
28 later than the day before the election and received  
29 by the commissioner not later than noon on the Monday  
30 following the election.

31 Sec. \_\_\_\_ Section 53.17, subsection 4, paragraph f,  
32 Code 2016, is amended to read as follows:

33 f. A statement that the completed absentee ballot  
34 will be delivered to the commissioner's office within  
35 seventy-two hours of retrieving it from the voter

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1 or before the closing of the polls on election day,  
2 whichever is earlier, or that the completed absentee  
3 ballot will be mailed to the commissioner within  
4 seventy-two hours of retrieving it from the voter or  
5 within time to be postmarked or to be processed to bear  
6 an intelligent mail barcode showing the date of entry

7 into the federal mail system not later than the day  
8 before the election, whichever is earlier.

9 Sec. \_\_\_. Section 53.22, subsection 5, paragraph b,  
10 Code 2016, is amended to read as follows:

11 b. Absentee ballots voted under this subsection  
12 shall be delivered to the commissioner no later than  
13 the time the polls are closed on election day. If  
14 the ballot is returned by mail the return envelope  
15 must be received by the time the polls close, or be  
16 clearly postmarked by an officially authorized postal  
17 service or bear an intelligent mail barcode showing the  
18 date of entry into the federal mail system not later  
19 than the day before the election and received by the  
20 commissioner no later than the time established for the  
21 canvass by the board of supervisors for that election.

22 Sec. \_\_\_. REPORT. The state commissioner of  
23 elections shall prepare a report related to the use  
24 of intelligent mail barcodes by county commissioners  
25 of elections during the 2016 general election. The  
26 report shall include information on the number of  
27 county commissioners of elections utilizing intelligent  
28 mail barcodes on absentee ballot return envelopes and  
29 statistics from such county commissioners detailing the  
30 number of absentee ballots counted in such counties as  
31 a result of the use of intelligent mail barcodes, along  
32 with any additional information deemed appropriate by  
33 the state commissioner. The county commissioners shall  
34 provide the state commissioner with information and  
35 statistics requested by the state commissioner pursuant

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1 to this section. The state commissioner shall deliver  
2 the report to the chairpersons and ranking members of  
3 the general assembly's standing committees on state  
4 government and to the legislative services agency by  
5 January 17, 2017.

6 Sec. \_\_\_. EMERGENCY RULES. The state commissioner  
7 of elections may adopt emergency rules under section  
8 17A.4, subsection 3, and section 17A.5, subsection  
9 2, paragraph "b", to implement the provisions of  
10 this division of this Act and the rules shall be  
11 effective immediately upon filing unless a later date  
12 is specified in the rules. Any rules adopted in  
13 accordance with this section shall also be published  
14 as a notice of intended action as provided in section  
15 17A.4.

16 Sec. \_\_\_. EFFECTIVE UPON ENACTMENT. This division  
17 of this Act, being deemed of immediate importance,  
18 takes effect upon enactment.>

19 3. Title page, line 2, after <ballots,> by  
20 inserting <the counting of certain absentee ballots,>

- 21 4. Title page, line 4, after <elections> by  
 22 inserting <, and including effective date provisions>  
 23 5. By renumbering as necessary.

JEFF DANIELSON

**S-5128**

1 Amend House File 2273, as passed by the House, as  
 2 follows:

3 1. Page 1, before line 1 by inserting:  
 4 <DIVISION I  
 5 GENERAL PROVISIONS>

6 2. Page 5, after line 5 by inserting:  
 7 <DIVISION \_\_\_\_  
 8 EMERGENCY PROVISIONS

9 Sec. \_\_\_\_ Section 53.17, subsection 1, paragraph b,  
 10 Code 2016, is amended to read as follows:

11 b. The sealed return envelope may be mailed to  
 12 the commissioner by the registered voter or by the  
 13 voter's designee. If mailed by the voter's designee,  
 14 the envelope must be mailed within seventy-two hours  
 15 of retrieving it from the voter or within time to be  
 16 postmarked or, if applicable, to have the intelligent  
 17 mail barcode traced to a date of entry into the federal  
 18 mail system not later than the day before the election,  
 19 whichever is earlier.

20 Sec. \_\_\_\_ Section 53.17, subsection 2, Code 2016,  
 21 is amended to read as follows:

22 2. In order for the ballot to be counted, the  
 23 return envelope must be received in the commissioner's  
 24 office before the polls close on election day or be  
 25 clearly postmarked by an officially authorized postal  
 26 service or bear an intelligent mail barcode traceable  
 27 to a date of entry into the federal mail system not  
 28 later than the day before the election and received  
 29 by the commissioner not later than noon on the Monday  
 30 following the election.

31 Sec. \_\_\_\_ Section 53.17, subsection 4, paragraph f,  
 32 Code 2016, is amended to read as follows:

33 f. A statement that the completed absentee ballot  
 34 will be delivered to the commissioner's office within  
 35 seventy-two hours of retrieving it from the voter

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1 or before the closing of the polls on election day,  
 2 whichever is earlier, or that the completed absentee  
 3 ballot will be mailed to the commissioner within  
 4 seventy-two hours of retrieving it from the voter or  
 5 within time to be postmarked or, if applicable, to have  
 6 the intelligent mail barcode traced to a date of entry

7 into the federal mail system not later than the day  
8 before the election, whichever is earlier.  
9 Sec. \_\_\_. Section 53.22, subsection 5, paragraph b,  
10 Code 2016, is amended to read as follows:  
11 b. Absentee ballots voted under this subsection  
12 shall be delivered to the commissioner no later than  
13 the time the polls are closed on election day. If the  
14 ballot is returned by mail the return envelope must be  
15 received by the time the polls close, or be clearly  
16 postmarked by an officially authorized postal service  
17 or bear an intelligent mail barcode traceable to a  
18 date of entry into the federal mail system not later  
19 than the day before the election and received by the  
20 commissioner no later than the time established for the  
21 canvass by the board of supervisors for that election.  
22 Sec. \_\_\_. REPORT. The state commissioner of  
23 elections shall prepare a report related to the use  
24 of intelligent mail barcodes by county commissioners  
25 of elections during the 2016 general election. The  
26 report shall include information on the number of  
27 county commissioners of elections utilizing intelligent  
28 mail barcodes on absentee ballot return envelopes and  
29 statistics from such county commissioners detailing the  
30 number of absentee ballots counted in such counties as  
31 a result of the use of intelligent mail barcodes, along  
32 with any additional information deemed appropriate by  
33 the state commissioner. The county commissioners shall  
34 provide the state commissioner with information and  
35 statistics requested by the state commissioner pursuant

Page 3

1 to this section. The state commissioner shall deliver  
2 the report to the chairpersons and ranking members of  
3 the general assembly's standing committees on state  
4 government and to the legislative services agency by  
5 January 17, 2017.  
6 Sec. \_\_\_. EMERGENCY RULES. The state commissioner  
7 of elections may adopt emergency rules under section  
8 17A.4, subsection 3, and section 17A.5, subsection  
9 2, paragraph "b", to implement the provisions of  
10 this division of this Act and the rules shall be  
11 effective immediately upon filing unless a later date  
12 is specified in the rules. Any rules adopted in  
13 accordance with this section shall also be published  
14 as a notice of intended action as provided in section  
15 17A.4.  
16 Sec. \_\_\_. EFFECTIVE UPON ENACTMENT. This division  
17 of this Act, being deemed of immediate importance,  
18 takes effect upon enactment.>  
19 3. Title page, line 2, after <ballots,> by  
20 inserting <the counting of certain absentee ballots,>

- 21 4. Title page, line 4, after <elections> by  
22 inserting <, and including effective date provisions>  
23 5. By renumbering as necessary.

JEFF DANIELSON

**S-5129**

- 1 Amend Senate File 2312 as follows:  
2 1. Page 1, by striking lines 4 through 7 and  
3 inserting <otherwise requires, “baseball and softball  
4 complex” and “owner or operator” mean the same as  
5 defined in section 423.4, subsection 10.>  
6 2. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

**S-5130**

- 1 Amend Senate File 2313 as follows:  
2 1. Page 7, by striking lines 21 and 22 and  
3 inserting:  
4 <g. Coordinate engagement among employers, employee  
5 organizations, and economic development entities  
6 in the local workforce development area. The local  
7 workforce development board shall lead efforts to  
8 promote engagement among a diverse range of employers  
9 and with other entities in the region to do all of the  
10 following:  
11 (1) Promote business representation on the  
12 local workforce development board, particularly for  
13 representatives with optimal policymaking or hiring  
14 authority of employers whose employment opportunities  
15 reflect existing and emerging employment opportunities  
16 in the region.  
17 (2) Develop effective linkages with employers in  
18 the region to support employer utilization of the local  
19 workforce development system and to support local  
20 workforce investment activities.  
21 (3) Ensure that workforce investment activities  
22 meet the needs of employers and support economic  
23 growth in the region by enhancing communication,  
24 coordination, and collaboration among employers,  
25 employee organizations, economic development entities,  
26 and service providers.  
27 (4) Develop and implement proven or promising  
28 strategies for meeting the employment and skill needs  
29 of workers and employers, such as participating in the  
30 establishment of industry and sector partnerships as  
31 described under section 260H.7B, subsection 2, that  
32 provide the skilled workforce needed by employers

33 in the region and that expand employment and career  
 34 advancement opportunities for workforce development  
 35 system participants in in-demand industry sectors or

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1 occupations.>  
 2 2. Page 7, line 32, after <law.> by inserting <To  
 3 the extent permitted by applicable state and federal  
 4 law, the local workforce development board shall  
 5 consider awarding grants or contracts to nonprofit  
 6 organizations.>

WILLIAM A. DOTZLER, JR.

**S-5131**

1 Amend Senate File 2314 as follows:  
 2 1. Page 1, line 15, by striking <2,753.678> and  
 3 inserting <4,046.974>  
 4 2. Page 1, line 17, by striking <40.40> and  
 5 inserting <51.78>  
 6 3. Page 1, line 32, by striking <5.00> and  
 7 inserting <~~5.00~~ 5.07>  
 8 4. By striking page 1, line 33, through page 2,  
 9 line 10.  
 10 5. Page 6, line 28, by striking <73.00> and  
 11 inserting <75.00>  
 12 6. Page 17, line 25, after <COUNCIL> by inserting  
 13 <AND MAINTENANCE OF CEREMONIAL SPACE>  
 14 7. Page 18, line 5, after <services.> by inserting  
 15 <The committee shall also review and consider the  
 16 allocation of resources and moneys for maintenance  
 17 of the areas designated as ceremonial space by the  
 18 department of administrative services. For purposes  
 19 of this review, “ceremonial space” means the state  
 20 capitol building and parking lots, Ola Babcock Miller  
 21 building and parking lots, historical building and  
 22 parking areas, parking facility located at Pennsylvania  
 23 avenue and Des Moines street, West Capitol Terrace and  
 24 Finkbine parking areas, monuments and adjacent land,  
 25 capitol complex tunnels, and Iowa building (Mercy  
 26 Capitol) and annex sites and parking lots.>  
 27 8. Page 20, line 15, by striking <229.79> and  
 28 inserting <230.57>  
 29 9. Page 22, line 12, by striking <85,400> and  
 30 inserting <120,400>

CHRIS BRASE



**S-5132**

- 1 Amend House File 2454, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 20, after line 20 by inserting:  
4 <DIVISION \_\_\_\_  
5 FUNDS UNDER THE CONTROL OF THE ECONOMIC DEVELOPMENT  
6 AUTHORITY SPECIAL AUTHORITY GRANTED TO THE DIRECTOR TO  
7 ALLOCATE MONEYS FOR FY 2016-2017  
8 Sec. \_\_\_\_ KEEP IOWA BEAUTIFUL INITIATIVE. The  
9 director of the economic development authority created  
10 in section 15.105 may allocate moneys in one or more  
11 funds established in section 15.106A, subsection 1,  
12 paragraph "o", for the fiscal year beginning July 1,  
13 2016, and ending June 30, 2017, for the purpose of  
14 supporting a keep Iowa beautiful initiative in order  
15 to assist communities in developing and implementing  
16 beautification and community development plans.>  
17 2. By renumbering as necessary.

CHAZ ALLEN

**S-5133**

- 1 Amend Senate File 2316 as follows:  
2 1. Page 1, by striking lines 1 through 32.  
3 2. By renumbering as necessary.

THOMAS G. COURTNEY

**S-5134**

- 1 Amend Senate File 2316 as follows:  
2 1. Page 2, after line 28 by inserting:  
3 <Sec. \_\_\_\_ Section 321.210B, subsection 8, Code  
4 2016, is amended to read as follows:  
5 8. a. ~~Upon~~ Except as provided in paragraph "b,"  
6 upon determination by the county attorney, the county  
7 attorney's designee, or the private collection designee  
8 that the person is in default, the county attorney, the  
9 county attorney's designee, or the private collection  
10 designee shall notify the clerk of the district court.  
11 b. (1) If the person is in default and the  
12 person provides a new financial statement within  
13 fifteen days of the determination made pursuant to  
14 paragraph "a" indicating that the person's financial  
15 condition has changed to such an extent that lower  
16 installment payments would have been required prior  
17 to the execution of the initial installment agreement  
18 under subsection 1, the county attorney, the county  
19 attorney's designee, or the private collection designee  
20 shall not notify the clerk of the district court, and

21 the person shall not be considered in default. The  
 22 new installment payments shall be based upon the new  
 23 financial statement filed in compliance with this  
 24 subparagraph.  
 25 (2) A person making new installment payments after  
 26 complying with the provisions of subparagraph (1) shall  
 27 not be considered executing a new installment agreement  
 28 for purposes of calculating the number of installment  
 29 agreements a person may execute in a person's lifetime  
 30 under subsection 13.>

TONY BISIGNANO

**S-5135**

1 Amend House File 2439, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 4, by striking lines 9 through 15 and  
 4 inserting:  
 5 ~~<g.(1) If moneys remain in the fund after~~  
 6 ~~fully paying all obligations under paragraphs "a",~~  
 7 ~~"b", "c", "d", and "e", and "f", the remainder may~~  
 8 ~~be accumulated in the fund as a carryover operating~~  
 9 ~~surplus. an amount of up to four million four hundred~~  
 10 ~~thousand dollars shall, for the fiscal year beginning~~  
 11 ~~July 1, 2016, and ending June 30, 2017, be expended and~~  
 12 ~~distributed in the following priority order:~~  
 13 (a) (i) The director, in consultation with the  
 14 program manager and the E911 communications council,  
 15 may provide grants to any public safety answering point  
 16 agreeing to consolidate.>  
 17 2. Page 4, by striking lines 30 and 31 and  
 18 inserting:  
 19 <(ii) Grants provided under this subparagraph may,  
 20 subject to available funding, be provided until June  
 21 30, 2022.>  
 22 3. Page 5, by striking lines 12 through 16 and  
 23 inserting:  
 24 <(c) The remaining surplus shall be used to fund  
 25 future network and public safety answering point  
 26 improvements for program manager shall allocate an  
 27 equal amount of moneys to each public safety answering  
 28 point for the following costs:>

COMMITTEE ON APPROPRIATIONS  
 ROBERT E. DVORSKY, Chair

**S-5136**

1 Amend House File 2454, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 25, after line 13 by inserting:

4 <DIVISION \_\_\_\_  
 5 SALES AND USE TAXES AND THE NATURAL RESOURCES AND  
 6 OUTDOOR RECREATION TRUST FUND  
 7 Sec. \_\_\_\_ Section 423.2, subsection 1, unnumbered  
 8 paragraph 1, Code 2016, is amended to read as follows:  
 9 There is imposed a tax ~~of six percent at the rate~~  
 10 specified in subsection 14 upon the sales price of  
 11 all sales of tangible personal property, consisting  
 12 of goods, wares, or merchandise, sold at retail in  
 13 the state to consumers or users except as otherwise  
 14 provided in this subchapter.  
 15 Sec. \_\_\_\_ Section 423.2, subsections 2 and 3, Code  
 16 2016, are amended to read as follows:  
 17 2. A tax ~~of six percent at the rate specified in~~  
 18 subsection 14 is imposed upon the sales price of the  
 19 sale or furnishing of gas, electricity, water, heat,  
 20 pay television service, and communication service,  
 21 including the sales price from such sales by any  
 22 municipal corporation or joint water utility furnishing  
 23 gas, electricity, water, heat, pay television service,  
 24 and communication service to the public in its  
 25 proprietary capacity, except as otherwise provided in  
 26 this subchapter, when sold at retail in the state to  
 27 consumers or users.  
 28 3. A tax ~~of six percent at the rate specified~~  
 29 in subsection 14 is imposed upon the sales price  
 30 of all sales of tickets or admissions to places of  
 31 amusement, fairs, and athletic events except those of  
 32 elementary and secondary educational institutions. A  
 33 tax ~~of six percent at the rate specified in subsection~~  
 34 14 is imposed on the sales price of an entry fee  
 35 or like charge imposed solely for the privilege of

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1 participating in an activity at a place of amusement,  
 2 fair, or athletic event unless the sales price of  
 3 tickets or admissions charges for observing the same  
 4 activity are taxable under this subchapter. A tax ~~of~~  
 5 ~~six percent at the rate specified in subsection 14~~ is  
 6 imposed upon that part of private club membership fees  
 7 or charges paid for the privilege of participating in  
 8 any athletic sports provided club members.  
 9 Sec. \_\_\_\_ Section 423.2, subsection 4, paragraph a,  
 10 Code 2016, is amended to read as follows:  
 11 a. A tax ~~of six percent at the rate specified in~~  
 12 subsection 14 is imposed upon the sales price derived  
 13 from the operation of all forms of amusement devices  
 14 and games of skill, games of chance, raffles, and  
 15 bingo games as defined in chapter 99B, and card game  
 16 tournaments conducted under section 99B.7B, that are  
 17 operated or conducted within the state, the tax to

18 be collected from the operator in the same manner as  
19 for the collection of taxes upon the sales price of  
20 tickets or admission as provided in this section.  
21 Nothing in this subsection shall legalize any games of  
22 skill or chance or slot-operated devices which are now  
23 prohibited by law.

24 Sec. \_\_\_\_ Section 423.2, subsection 5, Code 2016,  
25 is amended to read as follows:

26 5. There is imposed a tax of ~~six percent~~ at the  
27 rate specified in subsection 14 upon the sales price  
28 from the furnishing of services as defined in section  
29 423.1.

30 Sec. \_\_\_\_ Section 423.2, subsection 7, paragraph a,  
31 unnumbered paragraph 1, Code 2016, is amended to read  
32 as follows:

33 A tax of ~~six percent~~ at the rate specified in  
34 subsection 14 is imposed upon the sales price from the  
35 sales, furnishing, or service of solid waste collection

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1 and disposal service.

2 Sec. \_\_\_\_ Section 423.2, subsection 8, paragraph a,  
3 Code 2016, is amended to read as follows:

4 a. A tax of ~~six percent~~ at the rate specified in  
5 subsection 14 is imposed on the sales price from sales  
6 of bundled transactions. For the purposes of this  
7 subsection, a “*bundled transaction*” is the retail sale  
8 of two or more distinct and identifiable products,  
9 except real property and services to real property,  
10 which are sold for one nonitemized price. A “*bundled*  
11 *transaction*” does not include the sale of any products  
12 in which the sales price varies, or is negotiable,  
13 based on the selection by the purchaser of the products  
14 included in the transaction.

15 Sec. \_\_\_\_ Section 423.2, subsection 9, Code 2016,  
16 is amended to read as follows:

17 9. A tax of ~~six percent~~ at the rate specified in  
18 subsection 14 is imposed upon the sales price from  
19 any mobile telecommunications service, including  
20 all paging services, that this state is allowed to  
21 tax pursuant to the provisions of the federal Mobile  
22 Telecommunications Sourcing Act, Pub. L. No. 106-252,  
23 4 U.S.C. §116 et seq. For purposes of this subsection,  
24 taxes on mobile telecommunications service, as defined  
25 under the federal Mobile Telecommunications Sourcing  
26 Act that are deemed to be provided by the customer’s  
27 home service provider, shall be paid to the taxing  
28 jurisdiction whose territorial limits encompass the  
29 customer’s place of primary use, regardless of where  
30 the mobile telecommunications service originates,  
31 terminates, or passes through and shall in all other

32 respects be taxed in conformity with the federal Mobile  
33 Telecommunications Sourcing Act. All other provisions  
34 of the federal Mobile Telecommunications Sourcing Act  
35 are adopted by the state of Iowa and incorporated into

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1 this subsection by reference. With respect to mobile  
2 telecommunications service under the federal Mobile  
3 Telecommunications Sourcing Act, the director shall, if  
4 requested, enter into agreements consistent with the  
5 provisions of the federal Act.

6 Sec. \_\_\_\_ Section 423.2, subsection 11, paragraph  
7 b, subparagraph (2), Code 2016, is amended to read as  
8 follows:

9 (2) Transfer from the remaining revenues the  
10 amounts required under Article VII, section 10, of  
11 the Constitution of the State of Iowa to the natural  
12 resources and outdoor recreation trust fund created in  
13 section 461.31, ~~if applicable.~~

14 Sec. \_\_\_\_ Section 423.2, subsection 14, Code 2016,  
15 is amended by striking the subsection and inserting in  
16 lieu thereof the following:

17 14. a. For the period beginning July 1, 2017, and  
18 ending June 30, 2018, the sales tax rate is six and  
19 one-eighth percent.

20 b. For the period beginning July 1, 2018, and  
21 ending June 30, 2019, the sales tax rate is six and  
22 two-eighths percent.

23 c. For the period beginning July 1, 2019, and  
24 ending December 31, 2029, the sales tax rate is six and  
25 three-eighths percent.

26 d. Beginning January 1, 2030, the sales tax rate is  
27 five and three-eighths percent.

28 Sec. \_\_\_\_ Section 423.5, subsection 1, unnumbered  
29 paragraph 1, Code 2016, is amended to read as follows:

30 Except as provided in paragraph "c", an excise tax  
31 at the rate of ~~six percent~~ specified in subsection 5  
32 of the purchase price or installed purchase price is  
33 imposed on the following:

34 Sec. \_\_\_\_ Section 423.5, subsection 5, Code 2016,  
35 is amended by striking the subsection and inserting in

Page 5

1 lieu thereof the following:

2 5. a. For the period beginning July 1, 2017, and  
3 ending June 30, 2018, the use tax rate is six and  
4 one-eighth percent.

5 b. For the period beginning July 1, 2018, and  
6 ending June 30, 2019, the use tax rate is six and  
7 two-eighths percent.

8 c. For the period beginning July 1, 2019, and  
9 ending December 31, 2029, the use tax rate is six and  
10 three-eighths percent.

11 d. Beginning January 1, 2030, the use tax rate is  
12 five and three-eighths percent.

13 Sec. \_\_\_. Section 423.43, subsection 1, paragraph  
14 b, Code 2016, is amended to read as follows:

15 b. Subsequent to the deposit into the general fund  
16 of the state ~~and after the transfer of such~~ pursuant to  
17 paragraph "a", the department shall do the following in  
18 the order prescribed:

19 (1) Transfer the revenues collected under chapter  
20 423B, the department shall transfer one sixth,

21 (2) (a) Transfer the applicable percentage  
22 as specified in subparagraph division (b) of such  
23 remaining revenues to the secure an advanced vision for  
24 education fund created in section 423F.2.

25 (b) (i) For the period beginning July 1, 2017,  
26 and ending June 30, 2018, the applicable percentage  
27 is sixteen and three thousand two hundred sixty-five  
28 ten-thousandths percent.

29 (ii) For the period beginning July 1, 2018, and  
30 ending June 30, 2019, the applicable percentage is  
31 sixteen percent.

32 (iii) For the period beginning July 1, 2019, and  
33 ending December 31, 2029, the applicable percentage  
34 is fifteen and six thousand eight hundred sixty-three  
35 ten-thousandths percent.

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1 (c) This ~~paragraph~~ subparagraph (2) is repealed  
2 December 31, 2029.

3 Sec. \_\_\_. PURPOSE. The purpose of this division  
4 of this Act is to provide for the implementation of  
5 Article VII, section 10, of the Constitution of the  
6 State of Iowa by fully funding the natural resources  
7 and outdoor recreation trust fund as created in section  
8 461.31, pursuant to Article VII, section 10, of the  
9 Constitution of the State of Iowa.

10 Sec. \_\_\_. EFFECTIVE DATE. This division of this  
11 Act takes effect July 1, 2017.

12 DIVISION \_\_  
13 INCOME TAXES

14 Sec. \_\_\_. Section 422.5, subsection 1, Code 2016,  
15 is amended by adding the following new paragraph:

16 NEW PARAGRAPH. 0j. (1) For each tax year  
17 beginning in the period beginning January 1, 2018, and  
18 ending December 31, 2029, the department of revenue  
19 shall determine the amount of sales and use tax  
20 revenues generated for the fiscal year ending June 30  
21 during the applicable tax year from the increases in

22 the sales and use tax rates enacted in this Act, and  
23 shall certify such amount to the governor and general  
24 assembly.

25 (2) For each tax year beginning in the period  
26 beginning January 1, 2018, and ending December 31,  
27 2029, the rates of tax in paragraphs "a" through "i"  
28 shall be reduced as provided in subparagraph (3) by an  
29 amount that will in the aggregate reduce the individual  
30 income tax revenues for the applicable tax year by the  
31 dollar amount certified by the department of revenue  
32 pursuant to subparagraph (1) for the relevant fiscal  
33 year ending June 30 prior to the start of the tax year.

34 (3) (a) The rate reduction for a tax year shall be  
35 accomplished by applying the applicable dollar amount

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1 to a reduction in the rate imposed in paragraph "a",  
2 but not below zero.

3 (b) If such rate reduction in subparagraph division  
4 (a) does not accomplish the full rate decrease required  
5 by subparagraph (2), the remaining applicable dollar  
6 amount shall be applied to a reduction in the rate  
7 imposed in paragraph "b", but not below zero.

8 (c) If such rate reduction in subparagraph  
9 divisions (a) and (b) do not accomplish the full rate  
10 decrease required by subparagraph (2), the remaining  
11 applicable dollar amount shall be applied to a  
12 reduction in the rate imposed in paragraph "c", but not  
13 below zero.

14 (d) If such rate reduction in subparagraph  
15 divisions (a) through (c) do not accomplish the  
16 full rate decrease required by subparagraph (2), the  
17 remaining applicable dollar amount shall be applied to  
18 a reduction in the rate imposed in paragraph "d", but  
19 not below zero.

20 (e) If such rate reduction in subparagraph  
21 divisions (a) through (d) do not accomplish the  
22 full rate decrease required by subparagraph (2), the  
23 remaining applicable dollar amount shall be applied to  
24 a reduction in the rate imposed in paragraph "e", but  
25 not below zero.

26 (f) If such rate reduction in subparagraph  
27 divisions (a) through (e) do not accomplish the  
28 full rate decrease required by subparagraph (2), the  
29 remaining applicable dollar amount shall be applied to  
30 a reduction in the rate imposed in paragraph "f", but  
31 not below zero.

32 (g) If such rate reduction in subparagraph  
33 divisions (a) through (f) do not accomplish the  
34 full rate decrease required by subparagraph (2), the  
35 remaining applicable dollar amount shall be applied to

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1 a reduction in the rate imposed in paragraph “g”, but  
2 not below zero.

3 (h) If such rate reduction in subparagraph  
4 divisions (a) through (g) do not accomplish the  
5 full rate decrease required by subparagraph (2), the  
6 remaining applicable dollar amount shall be applied to  
7 a reduction in the rate imposed in paragraph “h”, but  
8 not below zero.

9 (i) If such rate reduction in subparagraph  
10 divisions (a) through (h) do not accomplish the  
11 full rate decrease required by subparagraph (2), the  
12 remaining applicable dollar amount shall be applied to  
13 a reduction in the rate imposed in paragraph “i”, but  
14 not below zero.

15 (4) The rates of tax for paragraphs “a” through  
16 “i”, as determined under this paragraph for the tax  
17 year beginning January 1, 2029, shall apply to all tax  
18 years beginning on or after January 1, 2029.

19 Sec. \_\_\_\_. Section 422.5, subsection 1, paragraph j,  
20 Code 2016, is amended to read as follows:

21 j. (1) The tax imposed upon the taxable income  
22 of a nonresident shall be computed by reducing the  
23 amount determined pursuant to paragraphs “a” through  
24 ~~“z”~~ “0j” by the amounts of nonrefundable credits under  
25 this division and by multiplying this resulting amount  
26 by a fraction of which the nonresident’s net income  
27 allocated to Iowa, as determined in section 422.8,  
28 subsection 2, paragraph “a”, is the numerator and the  
29 nonresident’s total net income computed under section  
30 422.7 is the denominator. This provision also applies  
31 to individuals who are residents of Iowa for less than  
32 the entire tax year.

33 (2) (a) The tax imposed upon the taxable income  
34 of a resident shareholder in an S corporation or of  
35 an estate or trust with a situs in Iowa that is a

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1 shareholder in an S corporation, which S corporation  
2 has in effect for the tax year an election under  
3 subchapter S of the Internal Revenue Code and carries  
4 on business within and without the state, may be  
5 computed by reducing the amount determined pursuant  
6 to paragraphs “a” through ~~“z”~~ “0j” by the amounts  
7 of nonrefundable credits under this division and by  
8 multiplying this resulting amount by a fraction of  
9 which the resident’s or estate’s or trust’s net income  
10 allocated to Iowa, as determined in section 422.8,  
11 subsection 2, paragraph “b”, is the numerator and the  
12 resident’s or estate’s or trust’s total net income



13 computed under section 422.7 is the denominator. If  
 14 a resident shareholder, or an estate or trust with  
 15 a situs in Iowa that is a shareholder, has elected  
 16 to take advantage of this subparagraph (2), and for  
 17 the next tax year elects not to take advantage of  
 18 this` subparagraph, the resident or estate or trust  
 19 shareholder shall not reelect to take advantage of  
 20 this subparagraph for the three tax years immediately  
 21 following the first tax year for which the shareholder  
 22 elected not to take advantage of this subparagraph,  
 23 unless the director consents to the reelection. This  
 24 subparagraph also applies to individuals who are  
 25 residents of Iowa for less than the entire tax year.

26 (b) This subparagraph (2) shall not affect the  
 27 amount of the taxpayer's checkoffs under this division,  
 28 the credits from tax provided under this division, and  
 29 the allocation of these credits between spouses if  
 30 the taxpayers filed separate returns or separately on  
 31 combined returns.

32 Sec. \_\_\_\_ Section 422.11B, Code 2016, is amended to

33 read as follows:

34 **422.11B Minimum tax credit.**

35 1. *a.* There is allowed as a credit against the tax

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1 determined in section 422.5, subsection 1, paragraphs  
 2 "*a*" through "~~*f*~~" "~~*g*~~" for a tax year an amount equal to  
 3 the minimum tax credit for that tax year.

4 *b.* The minimum tax credit for a tax year is the  
 5 excess, if any, of the net minimum tax imposed for  
 6 all prior tax years beginning on or after January 1,  
 7 1987, over the amount allowable as a credit under this  
 8 section for those prior tax years.

9 2. *a.* The allowable credit under subsection 1  
 10 for a tax year shall not exceed the excess, if any,  
 11 of the tax determined in section 422.5, subsection  
 12 1, paragraphs "*a*" through "~~*f*~~" "~~*g*~~" over the state  
 13 alternative minimum tax as determined in section 422.5,  
 14 subsection 2.

15 *b.* The net minimum tax for a tax year is the  
 16 excess, if any, of the tax determined in section 422.5,  
 17 subsection 2, for the tax year over the tax determined  
 18 in section 422.5, subsection 1, paragraphs "*a*" through  
 19 "~~*f*~~" "~~*g*~~" for the tax year.

20 Sec. \_\_\_\_ EFFECTIVE DATE. This division of this  
 21 Act takes effect January 1, 2018.

22 Sec. \_\_\_\_ APPLICABILITY. This division of this  
 23 Act applies to tax years beginning on or after January  
 24 1, 2018.

25 DIVISION \_\_\_\_  
 26 WATER QUALITY AND WATER QUALITY EXCISE TAX

27 Sec. \_\_\_\_ Section 16.134, Code 2016, is amended to  
 28 read as follows:

29 **16.134 Wastewater and drinking water treatment**  
 30 **financial assistance program.**

31 1. The Iowa finance authority shall establish and  
 32 administer a wastewater and drinking water treatment  
 33 financial assistance program. The purpose of the  
 34 program shall be to provide financial assistance  
 35 to enhance water quality. The program shall be

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1 administered in accordance with rules adopted by  
 2 the authority pursuant to chapter 17A. For purposes  
 3 of this section, "program" means the wastewater and  
 4 drinking water treatment financial assistance program  
 5 and "committee" means the water quality financing  
 6 review committee created in subsection 9.

7 2. A wastewater and drinking water treatment  
 8 financial assistance fund is created and shall consist  
 9 of appropriations made to the fund and transfers  
 10 of interest, earnings, and moneys from other funds  
 11 as provided by law. Moneys transferred to the fund  
 12 pursuant to section 423G.6 are appropriated to the  
 13 authority for purposes of the program. Moneys in the  
 14 fund are not subject to section 8.33. Notwithstanding  
 15 section 12C.7, subsection 2, interest or earnings on  
 16 moneys in the fund shall be credited to the fund.

17 3. Financial assistance under the program shall  
 18 be used to install or upgrade wastewater treatment  
 19 facilities and systems and drinking water treatment  
 20 facilities and systems, including source water  
 21 protection projects, and for engineering or technical  
 22 assistance for facility planning and design.

23 4. The authority committee shall distribute approve  
 24 financial assistance in from the fund in accordance  
 25 with the following:

26 a. The goal of the program shall be to base awards  
 27 on the impact of the grant combined with other sources  
 28 of financing to ensure that sewer rates do not exceed  
 29 one and one half percent of a community's median  
 30 household income.

31 b. a. Communities shall be eligible for financial  
 32 assistance by qualifying as Priority shall be given  
 33 for projects in which a disadvantaged community and  
 34 is seeking financial assistance for the installation  
 35 or upgrade of wastewater treatment facilities due

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1 ~~to regulatory activity by the department of natural~~  
2 ~~resources and drinking water treatment facilities.~~  
3 For purposes of this section, the term “*disadvantaged*  
4 *community*” means the same as defined by the department.  
5 ~~e. b.~~ Priority shall be given to projects ~~in which~~  
6 ~~the meeting criteria established in section 455B.199B~~  
7 ~~in which the applicant seeks financial assistance is~~  
8 ~~to be used to obtain with~~ financing under the water  
9 pollution control works and drinking water facilities  
10 financing program pursuant to section 16.131 or other  
11 federal, ~~or state,~~ or private financing.  
12 ~~d. c.~~ Priority shall also be given to projects  
13 whose completion will provide significant improvement  
14 to water quality in the relevant watershed.  
15 ~~e. d.~~ Priority shall also be given to communities  
16 that employ an alternative wastewater treatment  
17 technology pursuant to section 455B.199C.  
18 ~~f. e.~~ Priority shall ~~be~~ also be given to those  
19 communities where sewer or water rates are the highest  
20 as a percentage of that community’s median household  
21 income.  
22 ~~g. f.~~ Financial assistance in the form of grants  
23 shall be issued on an annual basis.  
24 ~~h. g.~~ An applicant shall not receive a grant that  
25 exceeds five hundred thousand dollars.  
26 h. Priority shall also be given to communities that  
27 employ technology to address the latest version of the  
28 “Iowa Nutrient Reduction Strategy” initially presented  
29 in November 2012 by the department of agriculture and  
30 land stewardship, the department of natural resources,  
31 and Iowa state university of science and technology.  
32 4A. A utility management organization formed  
33 under chapter 28E or operated by a rural water system  
34 organized under chapter 357A or chapter 504 shall be  
35 considered eligible for financial assistance under the

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1 program.  
2 5. The authority in cooperation with the department  
3 of natural resources shall ~~share~~ provide information  
4 and resources to the committee when ~~the committee is~~  
5 determining the qualifications of a community for  
6 financial assistance from the fund.  
7 6. The authority shall enter into agreements with  
8 financial assistance recipients and distribute moneys  
9 under the program pursuant to financial assistance  
10 determinations made by the committee. The authority  
11 may use an amount of not more than ~~four~~ one percent of  
12 any moneys appropriated for deposit in the fund for

13 administration purposes.

14 7. By October 1 of each year, the authority shall  
 15 submit a report to the governor and the general  
 16 assembly itemizing expenditures under the program  
 17 during the previous fiscal year.

18 8. a. Beginning September 1, 2026, and every  
 19 ten years thereafter, a program review committee is  
 20 established for purposes of reviewing the wastewater  
 21 and drinking water treatment financial assistance  
 22 program. By December 1 of the same year, the review  
 23 committee shall file a report with the governor and the  
 24 general assembly that reviews the effectiveness of the  
 25 program during the prior ten fiscal years.

26 b. The program review committee shall consist of  
 27 the following members:

28 (1) The governor or the governor's designee.

29 (2) The secretary of agriculture or the secretary's  
 30 designee.

31 (3) The executive director of the authority or the  
 32 executive director's designee.

33 (4) The director of the department of natural  
 34 resources or the director's designee.

35 (5) Four members of the general assembly, with

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1 two from the senate and two from the house of  
 2 representatives and not more than one member from each  
 3 chamber being from the same political party. The two  
 4 senators shall be designated one member each by the  
 5 president of the senate, after consultation with the  
 6 majority leader of the senate, and by the minority  
 7 leader of the senate. The two representatives shall  
 8 be designated one member each by the speaker of the  
 9 house of representatives, after consultation with the  
 10 majority leader of the house of representatives, and by  
 11 the minority leader of the house of representatives.

12 c. Staffing services shall be provided by the  
 13 authority.

14 9. a. A water quality financing review committee  
 15 is created consisting of the secretary of agriculture  
 16 or the secretary's designee, the executive director of  
 17 the authority or the executive director's designee, and  
 18 the director of the department of natural resources or  
 19 the director's designee.

20 b. The committee shall review and approve or  
 21 deny applications for financial assistance under the  
 22 wastewater and drinking water treatment financial  
 23 assistance program established in this section.

24 Sec. \_\_\_\_. Section 423.3, Code 2016, is amended by  
 25 adding the following new subsection:

26 NEW SUBSECTION. 103. a. The sales price from

27 the sale or furnishing by a water utility of a water  
28 service in the state to consumers or users.  
29 *b.* For purposes of this subsection:  
30 (1) “*Water service*” means the delivery of water by  
31 piped distribution system.  
32 (2) “*Water utility*” means a public utility as  
33 defined in section 476.1 that furnishes water by piped  
34 distribution system to the public for compensation.  
35 Sec. \_\_. NEW SECTION. **423G.1 Short title.**

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1 This chapter may be cited as the “*Water Service Tax*  
2 *Act*”.  
3 Sec. \_\_. NEW SECTION. **423G.2 Definitions.**  
4 1. All words and phrases used in this chapter and  
5 defined in section 423.1 have the same meaning given  
6 them by section 423.1 for purposes of this chapter.  
7 2. As used in this chapter, “*water service*” and  
8 “*water utility*” mean the same as defined in section  
9 423.3, subsection 103.  
10 Sec. \_\_. NEW SECTION. **423G.3 Water service tax.**  
11 An excise tax at the rate of six percent is imposed  
12 on the sales price from the sale or furnishing by  
13 a water utility of a water service in the state to  
14 consumers or users.  
15 Sec. \_\_. NEW SECTION. **423G.4 Exemptions.**  
16 The sales price from transactions exempt from state  
17 sales tax under section 423.3, except section 423.3,  
18 subsection 103, is also exempt from the tax imposed by  
19 this chapter.  
20 Sec. \_\_. NEW SECTION. **423G.5 Administration by**  
21 **director.**  
22 1. The director of revenue shall administer the  
23 water service tax as nearly as possible in conjunction  
24 with the administration of the state sales and use tax  
25 law, except that portion of the law that implements the  
26 streamlined sales and use tax agreement. The director  
27 shall provide appropriate forms, or provide on the  
28 regular state tax forms, for reporting water service  
29 tax liability.  
30 2. The director may require all persons who are  
31 engaged in the business of deriving any sales price or  
32 purchase price subject to tax under this chapter to  
33 register with the department. The director may also  
34 require a tax permit applicable only to this chapter  
35 for any retailer not collecting, or any user not

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1 paying, taxes under chapter 423.  
 2 3. Section 422.25, subsection 4, sections 422.30,  
 3 422.67, and 422.68, section 422.69, subsection 1,  
 4 sections 422.70, 422.71, 422.72, 422.74, and 422.75,  
 5 section 423.14, subsection 1, and sections 423.23,  
 6 423.24, 423.25, 423.31 through 423.35, 423.37 through  
 7 423.42, and 423.47, consistent with the provisions  
 8 of this chapter, shall apply with respect to the tax  
 9 authorized under this chapter, in the same manner and  
 10 with the same effect as if the excise taxes on the  
 11 sale or furnishing of a water service were retail  
 12 sales taxes within the meaning of those statutes.  
 13 Notwithstanding this subsection, the director shall  
 14 provide for quarterly filing of returns and for other  
 15 than quarterly filing of returns both as prescribed in  
 16 section 423.31. All taxes collected under this chapter  
 17 by a retailer or any user are deemed to be held in  
 18 trust for the state of Iowa.

19 Sec. \_\_. NEW SECTION. **423G.6 Deposit of revenues.**

20 1. All moneys received and all refunds shall be  
 21 deposited in or withdrawn from the general fund of the  
 22 state.

23 2. Subsequent to the deposit in the general fund  
 24 of the state, the department shall first transfer  
 25 one-sixth of the revenues collected under 423G.3 to  
 26 the secure an advanced vision fund created in section  
 27 423F.2, and then from the remaining revenues shall  
 28 transfer the following amounts to the wastewater and  
 29 drinking water financial assistance fund created in  
 30 section 16.134:

31 a. For revenues collected on or after July 1, 2017,  
 32 but before August 1, 2018, one-sixth of the revenues.

33 b. For revenues collected on or after August 1,  
 34 2018, but before August 1, 2019, one-third of the  
 35 revenues.

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1 c. For revenues collected on or after August 1,  
 2 2019, but before August 1, 2020, one-half of the  
 3 revenues.

4 d. For revenues collected on or after August 1,  
 5 2020, but before August 1, 2021, two-thirds of the  
 6 revenues.

7 e. For revenues collected on or after August 1,  
 8 2021, but before August 1, 2022, five-sixths of the  
 9 revenues.

10 f. For revenues collected on or after August 1,  
 11 2022, one hundred percent of the revenues.

12 Sec. \_\_. NEW SECTION. **423G.7 Future repeal.**

13 This chapter is repealed July 1, 2029.  
 14 Sec. \_\_\_\_ EFFECTIVE DATE. This division of this  
 15 Act takes effect July 1, 2017.  
 16 DIVISION \_\_\_\_  
 17 NATURAL RESOURCES AND OUTDOOR RECREATION  
 18 Sec. \_\_\_\_ Section 461.2, Code 2016, is amended by  
 19 adding the following new subsection:  
 20 NEW SUBSECTION. 3A. *"Iowa nutrient reduction*  
 21 *strategy"* means the latest version of the "Iowa  
 22 Nutrient Reduction Strategy" initially presented in  
 23 November 2012 by the department of agriculture and land  
 24 stewardship, the department of natural resources, and  
 25 Iowa state university of science and technology.  
 26 Sec. \_\_\_\_ Section 461.11, Code 2016, is amended by  
 27 adding the following new subsections:  
 28 NEW SUBSECTION. 3. When collaborating in making  
 29 funding decisions for a subsequent fiscal year, the  
 30 heads of the departments receiving trust fund moneys  
 31 shall give a preference to supporting those initiatives  
 32 which are research-based water quality initiatives  
 33 that at least meet the state water quality objective  
 34 provided in section 461.31, subsection 1A.  
 35 NEW SUBSECTION. 4. When collaborating in making

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1 funding decisions for a subsequent fiscal year, the  
 2 heads of the departments receiving trust fund moneys  
 3 shall determine the amount of trust fund moneys  
 4 required to be expended to support research-based water  
 5 quality initiatives in order to at least meet the state  
 6 water quality objective provided in section 461.31,  
 7 subsection 1A.  
 8 Sec. \_\_\_\_ Section 461.21, Code 2016, is amended by  
 9 adding the following new subsection:  
 10 NEW SUBSECTION. 1A. The auditor of state shall  
 11 notify the heads of the departments receiving trust  
 12 fund moneys whether the amount of trust fund moneys  
 13 expended to support research-based water quality  
 14 initiatives under this chapter for the fiscal year  
 15 subject to the audit has at least met the state  
 16 water quality objective provided in section 461.31,  
 17 subsection 1A. If the amount of trust fund moneys  
 18 expended to support research-based water quality  
 19 initiatives does not at least meet that state water  
 20 quality objective, the auditor of state shall notify  
 21 the heads of the departments of the percentage  
 22 shortfall.  
 23 Sec. \_\_\_\_ Section 461.22, Code 2016, is amended by  
 24 adding the following new subsection:  
 25 NEW SUBSECTION. 1A. The expenditures used to  
 26 support initiatives which are research-based water

27 quality initiatives that at least meet the state  
 28 water quality objective provided in section 461.31,  
 29 subsection 1A.  
 30 Sec. \_\_\_\_ Section 461.31, subsection 2, paragraph  
 31 d, Code 2016, is amended to read as follows:  
 32 *d.* Trust fund moneys shall only be used to  
 33 support voluntary initiatives and shall not be used  
 34 for regulatory efforts, enforcement actions, or  
 35 litigation. Trust fund moneys shall not be used as

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1 part of an activity which involves condemning property  
 2 or otherwise exercising the power of eminent domain.  
 3 Sec. \_\_\_\_ Section 461.31, Code 2016, is amended by  
 4 adding the following new subsection:  
 5 NEW SUBSECTION. 1A. a. For each fiscal year, at  
 6 least sixty percent of the trust fund moneys credited  
 7 to the trust fund shall be exclusively expended to  
 8 support research-based water quality initiatives  
 9 under this chapter. A research-based water quality  
 10 initiative, includes but is not limited to a practice  
 11 described in the Iowa nutrient reduction strategy. In  
 12 addition, a research-based water quality initiative  
 13 must satisfy all the following:  
 14 (1) Have a life expectancy of more than twenty-four  
 15 months.  
 16 (2) Provide for multiple natural resource benefits.  
 17 *b.* If the auditor of state notifies the heads  
 18 of the departments receiving trust fund moneys of a  
 19 percentage shortfall as provided in section 461.21,  
 20 the percentage of trust fund moneys to support  
 21 research-based water quality initiatives shall be  
 22 adjusted for the fiscal year following the fiscal  
 23 year that the auditor provides the notification. The  
 24 amount of the adjustment shall be an amount necessary  
 25 to reach the sixty percent required to meet the water  
 26 quality objective as described in paragraph “a” plus a  
 27 percentage shortfall for each prior fiscal year that  
 28 has not been previously added to the sixty percent.  
 29 Sec. \_\_\_\_ Section 461.32, subsection 3, Code 2016,  
 30 is amended to read as follows:  
 31 3. The department of natural resources shall ~~to~~  
 32 ~~every extent possible~~ consider its comprehensive  
 33 plan provided in section 456A.31 when making funding  
 34 decisions.>  
 35 2. Title page, line 1, by striking <and> and



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- 1 inserting <state and local finances by>
- 2 3. Title page, line 3, after <protection,> by
- 3 inserting <and providing for regulatory, taxation, and
- 4 properly related matters,>
- 5 4. Title page, line 4, after <date> by inserting
- 6 <and retroactive and other applicability>
- 7 5. By renumbering, redesignating, and correcting
- 8 internal references as necessary.

DAVID JOHNSON

**S-5137**

- 1 Amend Senate File 2323 as follows:
- 2 1. Page 4, line 4, by striking <48,689,681> and
- 3 inserting <48,939,681>
- 4 2. Page 4, line 9, by striking <2,011,938> and
- 5 inserting <1,725,000>

AMY SINCLAIR

**S-5138**

- 1 Amend Senate File 2323 as follows:
- 2 1. Page 4, line 9, by striking <2,011,938> and
- 3 inserting <1,975,000>
- 4 2. Page 27, lines 7 and 8, by striking <and other
- 5 preschool programs provided under the auspices of or>
- 6 and inserting <programs>

BRIAN SCHOENJAHN

**S-5139**

- 1 Amend Senate File 2323 as follows:
- 2 1. Page 23, after line 19 by inserting:
- 3 <Sec. \_\_. Section 256.11, subsection 16, paragraph
- 4 d, Code 2016, is amended by striking the paragraph.>
- 5 2. By renumbering as necessary.

KEN ROZENBOOM

**S-5140**

- 1 Amend the amendment, S-5137, to Senate File 2323 as
- 2 follows:
- 3 1. Page 1, after line 5 by inserting:
- 4 <\_\_. Page 27, lines 7 and 8, by striking <and
- 5 other preschool programs provided under the auspices of
- 6 or> and inserting <programs>>

AMY SINCLAIR

**S-5141**

1 Amend House File 2445, as passed by the House, as  
2 follows:

3 1. Page 1, line 5, after <received> by inserting  
4 <by a licensee of a facility that, notwithstanding the  
5 exemption specified in section 142D.4, subsection 10,  
6 prohibits smoking in accordance with section 142D.3>

JANET PETERSEN

**S-5142**

1 Amend Senate File 2321 as follows:

2 1. Page 2, by striking lines 15 through 18 and  
3 inserting:  
4 <5. ~~It is the intent of the general assembly that~~  
5 ~~the offices of the clerks of the district court operate~~  
6 ~~in all 99 counties and be accessible to the public as~~  
7 ~~much as is reasonably possible in order to address the~~  
8 ~~relative needs of the citizens~~ The judicial branch  
9 shall operate and maintain the offices of the clerks  
10 of the district court in all 99 counties during normal  
11 business hours, and such offices shall be accessible  
12 to the public in order to address the relative needs  
13 of the citizens>

JULIAN B. GARRETT

**S-5143**

1 Amend Senate File 2320 as follows:

2 1. Page 8, after line 4 by inserting:  
3 <DIVISION \_\_\_\_  
4 COMBAT SPECIAL LICENSE PLATES  
5 Sec. \_\_\_\_ Section 321.34, subsection 20C, paragraph  
6 a, Code 2016, is amended to read as follows:  
7 a. The department, in consultation with the  
8 adjutant general, shall design combat infantryman  
9 badge, combat action badge, combat action ribbon, air  
10 force combat action medal, and combat medical badge  
11 distinguishing processed emblems. ~~Upon receipt of two~~  
12 ~~hundred fifty orders for combat infantryman badge,~~  
13 ~~combat action badge, combat action ribbon, air force~~  
14 ~~combat action medal, or combat medical badge special~~  
15 ~~registration plates, accompanied by a start up fee of~~  
16 ~~twenty dollars per order, the~~ The department shall  
17 begin issuing issue special registration plates with  
18 the applicable distinguishing processed emblem as  
19 provided in paragraphs "b", "c", and "d". ~~The minimum~~  
20 ~~order requirement shall apply separately to each of~~  
21 ~~the special registration plates created under this~~

22 ~~subsection.~~

23 Sec. \_\_. Section 321.145, subsection 2, paragraph  
24 b, subparagraph (3), Code 2016, is amended to read as  
25 follows:

26 (3) The amounts required to be transferred pursuant  
27 to section 321.34 from revenues available under  
28 this subsection shall be transferred and credited as  
29 provided in section 321.34, ~~subsections 7, 10, 10A,~~  
30 ~~11, 11A, 11B, 13, 16, 17, 18, 19, 20, 20A, 20B, 20C,~~  
31 ~~21, 22, 23, 24, 25, and 26~~ for the various purposes  
32 specified in ~~those subsections~~ that section.>

33 2. Title page, line 6, by striking <program> and  
34 inserting <program, and providing for other properly  
35 related matters>

Page 2

1 3. By renumbering as necessary.

MARK SEGEBART

## S-5144

1 Amend Senate File 2323 as follows:

2 1. Page 23, after line 19 by inserting:

3 <Sec. \_\_. Section 256.7, subsection 21, paragraph  
4 b, subparagraph (2), Code 2016, is amended to read as  
5 follows:

6 (2) Notwithstanding subparagraph (1), for the  
7 school year beginning July 1, ~~2016~~ 2017, and each  
8 succeeding school year, the rules shall provide  
9 that all students enrolled in school districts in  
10 grades three through eleven shall be administered an  
11 assessment during the last quarter of the school year  
12 that at a minimum assesses the core academic indicators  
13 identified in this paragraph "b"; is aligned with the  
14 Iowa common core standards in both content and rigor;  
15 accurately describes student achievement and growth for  
16 purposes of the school, the school district, and state  
17 accountability systems; and provides valid, reliable,  
18 and fair measures of student progress toward college  
19 or career readiness.>

20 2. Page 30, after line 13 by inserting:

21 <Sec. \_\_. STATE BOARD OF EDUCATION — RULE  
22 NULLIFICATION. 281 Iowa administrative code, rule  
23 12.8, subrule 1, paragraph h, is nullified.>

24 3. Page 30, after line 23 by inserting:

25 <2A. The section of this Act nullifying an

26 administrative rule adopted by the state board of  
 27 education.>  
 28 4. By renumbering as necessary.

TOD R. BOWMAN  
 ROBERT M. HOGG  
 ROBERT E. DVORSKY  
 TONY BISIGNANO  
 KEVIN KINNEY  
 JOE BOLKCOM  
 AMY SINCLAIR  
 JAKE CHAPMAN  
 JERRY BEHN  
 JASON SCHULTZ  
 KEN ROZENBOOM  
 DENNIS GUTH

### S-5145

1 Amend Senate File 2323 as follows:  
 2 1. Page 4, line 9, by striking <2,011,938> and  
 3 inserting <1,975,000>  
 4 2. Page 23, after line 19 by inserting:  
 5 <Sec. \_\_. Section 256.7, subsection 21, paragraph  
 6 b, subparagraph (2), Code 2016, is amended to read as  
 7 follows:  
 8 (2) Notwithstanding subparagraph (1), for the  
 9 school year beginning July 1, ~~2016~~ 2017, and each  
 10 succeeding school year, the rules shall provide  
 11 that all students enrolled in school districts in  
 12 grades three through eleven shall be administered an  
 13 assessment during the last quarter of the school year  
 14 that at a minimum assesses the core academic indicators  
 15 identified in this paragraph "b"; is aligned with the  
 16 Iowa common core standards in both content and rigor;  
 17 accurately describes student achievement and growth for  
 18 purposes of the school, the school district, and state  
 19 accountability systems; and provides valid, reliable,  
 20 and fair measures of student progress toward college  
 21 or career readiness.>  
 22 3. Page 27, lines 7 and 8, by striking <and other  
 23 preschool programs provided under the auspices of or>  
 24 and inserting <programs>  
 25 4. By renumbering as necessary.

BRIAN SCHOENJAHN

### S-5146

1 Amend House File 2443, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. By striking page 12, line 31, through page 13,

4 line 29, and inserting:

5 <(2) If an eligible taxpayer obtains a tax credit  
6 certificate from the ~~department authority~~ by way of  
7 a prohibited activity, the eligible taxpayer and any  
8 transferee shall be jointly and severally liable to  
9 the state for the amount of the tax credits so issued,  
10 interest and penalties allowed under chapter 422,  
11 and reasonable attorney fees and litigation costs,  
12 except that the liability of the transferee shall not  
13 exceed an amount equal to the amount of the tax credits  
14 acquired by the transferee. The department of revenue,  
15 upon notification or discovery that a tax credit  
16 certificate was issued to an eligible taxpayer by way  
17 of a prohibited activity, shall revoke any outstanding  
18 tax credit and seek repayment of the value of any tax  
19 credit already claimed, and the failure to make such a  
20 repayment may be treated by the department of revenue  
21 in the same manner as a failure to pay the tax shown  
22 due or required to be shown due with the filing of a  
23 return or deposit form. A qualifying transferee is not  
24 subject to the liability, revocation, and repayment  
25 imposed under this subparagraph.

26 Sec. \_\_\_\_ Section 404A.3, subsection 4, paragraph  
27 c, subparagraph (3), Code 2016, is amended by adding  
28 the following new subparagraph division:

29 NEW SUBPARAGRAPH DIVISION. (0a) “Control” means  
30 when a person, directly or indirectly or acting through  
31 or together with one or more persons, satisfies any of  
32 the following:

33 (i) Owns, controls, or has the power to vote fifty  
34 percent or more of any class of voting securities or  
35 voting membership interests of another person.

Page 2

1 (ii) Controls, in any manner, the election of a  
2 majority of the directors, managers, trustees, or other  
3 persons exercising similar functions of another person.

4 (iii) Has the power to exercise a controlling  
5 influence over the management or policies of another  
6 person.

7 Sec. \_\_\_\_ Section 404A.3, subsection 4, paragraph  
8 c, subparagraph (3), subparagraph division (b),  
9 unnumbered paragraph 1, Code 2016, is amended to read  
10 as follows:

11 “Qualifying transferee” means a transferee who  
12 acquires a tax credit certificate issued under this  
13 chapter for value, in good faith, without ~~actual~~  
14 express or ~~constructive implied~~ notice of a prohibited  
15 activity of the eligible taxpayer who was originally  
16 issued the tax credit, and without ~~actual~~ express or  
17 ~~constructive implied~~ notice of any other claim to or

18 defense against the tax credit, and which transferee is  
 19 not associated with the eligible taxpayer by being one  
 20 or more of the following:

21 Sec. \_\_\_. Section 404A.3, subsection 4, paragraph  
 22 c, subparagraph (3), subparagraph division (b),  
 23 subparagraph subdivision (i), Code 2016, is amended to  
 24 read as follows:

25 (i) An owner, member, shareholder, or partner of  
 26 the eligible taxpayer who directly or indirectly owns  
 27 ~~or~~ and controls, in whole or in part, the eligible  
 28 taxpayer.>

29 2. By striking page 15, line 22, through page 16,  
 30 line 8.

31 3. Page 17, after line 12 by inserting:  
 32 <Sec. \_\_\_. TRANSITION PROVISIONS. The department  
 33 of cultural affairs shall cooperate with the economic  
 34 development authority to ensure the effective  
 35 transition of powers, duties, and funds from the

Page 3

1 department to the authority in implementing this  
 2 division of this Act.

3 Sec. \_\_\_. EFFECTIVE DATE. This division of this  
 4 Act takes effect August 15, 2016.>

5 4. Page 17, line 16, by striking <July 1,> and  
 6 inserting <August 15,>

7 5. By renumbering as necessary.

COMMITTEE ON WAYS AND MEANS  
 JOE BOLKCOM, Chair

## S-5147

1 Amend Senate File 2324 as follows:

2 1. Page 1, after line 22 by inserting:

3 <In addition, of the moneys appropriated in this  
 4 subsection, \$250,000 is allocated for the costs of  
 5 installing outdoor lighting at the Iowa state capitol.>

6 2. Page 5, line 15, by striking <28,000> and  
 7 inserting <35,000>

MATT McCOY

## S-5148

1 Amend House File 2457, as passed by the House, as  
 2 follows:

3 1. Page 2, by striking lines 15 through 18 and  
 4 inserting:

5 <5. It is the intent of the general assembly that  
 6 the offices of the clerks of the district court operate

7 ~~in all 99 counties and be accessible to the public as~~  
 8 ~~much as is reasonably possible in order to address the~~  
 9 ~~relative needs of the citizens. The judicial branch~~  
 10 ~~shall operate and maintain the offices of the clerks~~  
 11 ~~of the district court in all 99 counties during normal~~  
 12 ~~business hours, and such offices shall be accessible~~  
 13 ~~to the public in order to address the relative needs~~  
 14 ~~of the citizens>~~

JULIAN B. GARRETT

**S-5149**

- 1 Amend Senate File 2324 as follows:  
 2 1. Page 6, line 16, before <For furniture> by  
 3 inserting <a.>  
 4 2. Page 6, after line 24 by inserting:  
 5 <b. For grants to counties with a population  
 6 of 25,000 or less as determined by the 2010  
 7 federal decennial census for costs associated with  
 8 infrastructure and technology projects for courthouse  
 9 security purposes, notwithstanding section 8.57,  
 10 subsection 5, paragraph “c”:  
 11 ..... \$ 250,000>  
 12 3. Page 7, by striking line 11 and inserting:  
 13 <..... \$ 1,750,000>  
 14 4. By renumbering as necessary.

MATT McCOY

**S-5150**

- 1 Amend House File 2455, as passed by the House, as  
 2 follows:  
 3 1. Page 9, line 28, by striking <\$1,105,628> and  
 4 inserting <\$580,783>  
 5 2. Page 11, line 25, by striking <400,000> and  
 6 inserting <557,000>  
 7 3. Page 17, after line 10 by inserting:  
 8 <DIVISION \_\_\_\_  
 9 MISCELLANEOUS PROVISIONS — BUILDING REMEDIATION  
 10 PROGRAM AND FUND  
 11 Sec. \_\_\_\_ NEW SECTION. 15.231 Community catalyst  
 12 **building remediation program — fund.**  
 13 1. a. The economic development authority  
 14 shall, pursuant to section 15.106A, subsection 1,  
 15 paragraph “o”, establish a community catalyst building  
 16 remediation fund for the purpose of providing grants to  
 17 cities for the remediation of underutilized buildings.  
 18 The authority shall administer the fund in a manner to  
 19 make grant moneys annually available to cities for the  
 20 purposes of this section.

- 21 *b.* The fund may consist of any moneys appropriated  
22 by the general assembly for purposes of this section  
23 and any other moneys that are lawfully available to the  
24 authority, including moneys transferred or deposited  
25 from other funds created pursuant to section 15.106A,  
26 subsection 1, paragraph “o”.
- 27 *c.* The authority shall use any moneys specifically  
28 appropriated for purposes of this section only for the  
29 purposes of this section. The authority may use all  
30 other moneys in the fund, including interest, earnings,  
31 and recaptures for purposes of this section, or the  
32 authority may transfer the other moneys to other funds  
33 created pursuant to section 15.106A, subsection 1,  
34 paragraph “o”.
- 35 *d.* Notwithstanding section 8.33, moneys in the

Page 2

- 1 community catalyst building remediation fund at the  
2 end of each fiscal year shall not revert to any other  
3 fund but shall remain in the fund for expenditure for  
4 subsequent fiscal years.
- 5 *e.* The authority may use not more than five percent  
6 of the moneys in the fund at the beginning of the  
7 fiscal year for purposes of administrative costs,  
8 marketing, and technical assistance and other program  
9 support.
- 10 2. The authority shall use moneys in the fund  
11 to provide grants to cities for the remediation of  
12 underutilized buildings. The authority may provide  
13 grants under this section using a competitive scoring  
14 process.
- 15 3. In providing grants under this section, the  
16 authority shall dedicate forty percent of the moneys  
17 available at the beginning of each fiscal year to  
18 cities with populations of less than one thousand five  
19 hundred as shown by the most recent federal decennial  
20 census. If at the end of each application period the  
21 amount of grants awarded to cities with a population  
22 of less than one thousand five hundred is less than  
23 the amount to be dedicated to such cities under this  
24 subsection, the balance may be awarded to any approved  
25 applicant city regardless of city population.
- 26 4. The authority shall enter into an agreement  
27 with each city for the receipt of grants under this  
28 section. For a city to receive grant moneys under this  
29 section, the agreement must require the city to provide  
30 resources, including financial or in-kind resources, to  
31 the remediation project. The authority may negotiate  
32 the terms of the agreement.
- 33 5. In providing grants under this section, the  
34 authority shall coordinate with a city to develop a  
35 plan for the use of grant moneys that is consistent



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1 with the community development, housing, and economic  
2 development goals of the city. The terms of the  
3 agreement entered into pursuant to subsection 4 and the  
4 use of grants provided under this section shall reflect  
5 the plan developed.

6 6. If a city receives a grant under this section,  
7 the amount of any lien created for costs related to  
8 the remediation of the building shall not include any  
9 moneys that the city received pursuant to this section.

10 7. The authority shall submit a report to the  
11 general assembly and the governor's office on or  
12 before January 31, 2020, describing the results of the  
13 program implemented pursuant to this section and making  
14 recommendations for program changes.

15 Sec. \_\_\_\_. Section 15.335B, subsection 2, paragraph  
16 a, Code 2016, is amended by adding the following new  
17 subparagraph:

18 NEW SUBPARAGRAPH. (9) For deposit in the community  
19 catalyst building remediation fund established pursuant  
20 to section 15.231.

#### 21 DIVISION \_\_\_\_

#### 22 MISCELLANEOUS PROVISIONS — RENEWABLE CHEMICAL 23 PRODUCTION TAX CREDIT PROGRAM

24 Sec. \_\_\_\_. Section 15.316, subsection 3, as enacted  
25 by 2016 Iowa Acts, Senate File 2300, section 5, is  
26 amended to read as follows:

27 3. "*Building block chemical*" means a molecule  
28 converted from biomass feedstock as a first product  
29 or a secondarily derived product that can be further  
30 refined into a higher-value chemical, material, or  
31 consumer product. "*Building block chemical*" includes  
32 but is not limited to high-purity glycerol, oleic  
33 acid, lauric acid, methanoic or formic acid, arabonic  
34 acid, erythronic acid, glyceric acid, glycolic acid,  
35 lactic acid, 3-hydroxypropionate, propionic acid,

Page 4

1 malonic acid, serine, succinic acid, fumaric acid,  
2 malic acid, aspartic acid, 3-hydroxybutyrolactone,  
3 acetoin, threonine, itaconic acid, furfural, levulinic  
4 acid, glutamic acid, xylonic acid, xylaric acid,  
5 xylitol, arabitol, citric acid, aconitic acid,  
6 5-hydroxymethylfurfural, lysine, gluconic acid,  
7 glucaric acid, sorbitol, gallic acid, ferulic acid,  
8 butyric acid, nonfuel butanol, nonfuel ethanol, or  
9 such additional molecules as may be included by the  
10 authority by rule after consultation with appropriate  
11 experts from Iowa state university, including but  
12 not limited to the Iowa state university center for

- 13 biorenewable chemicals.>  
 14 4. Title page, line 5, after <institutions> by  
 15 inserting <, and properly related matters>  
 16 5. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

### S-5151

- 1 Amend Senate File 2312 as follows:  
 2 1. Page 2, line 12, by striking <sixteen million  
 3 five hundred thousand> and inserting <five million>  
 4 2. Page 2, lines 16 and 17, by striking <sixteen  
 5 million five hundred thousand> and inserting <five  
 6 million>  
 7 3. Page 2, line 35, by striking <sixteen million  
 8 five hundred thousand> and inserting <~~sixteen million~~  
 9 ~~five hundred thousand~~ five million>  
 10 4. Page 3, lines 13 and 14, by striking <sixteen  
 11 million five hundred thousand> and inserting <~~sixteen~~  
 12 ~~million five hundred thousand~~ five million>  
 13 5. Page 5, by striking lines 18 through 21 and  
 14 inserting <However, ~~not more than sixteen million five~~  
 15 ~~hundred thousand~~ the amount of rebates provided to a  
 16 baseball and softball complex shall not exceed the  
 17 amount of the award under section 15F.207, and not more  
 18 than five million dollars in total rebates shall be>  
 19 6. Page 6, by striking lines 16 through 19 and  
 20 inserting <subsection. ~~Not more than sixteen million~~  
 21 ~~five hundred thousand~~ The amount of rebates paid from  
 22 each baseball and softball complex's account within the  
 23 fund shall not exceed the amount of the award under  
 24 section 15F.207, and not more than five million dollars  
 25 in>  
 26 7. Page 6, lines 33 and 34, by striking <sixteen  
 27 million five hundred thousand> and inserting <~~sixteen~~  
 28 ~~million five hundred thousand~~ five million>  
 29 8. By renumbering as necessary.

WILLIAM A. DOTZLER, JR.

### S-5152

- 1 Amend House File 2449, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 1, by striking lines 3 through 5 and  
 4 inserting:  
 5 <NEW SUBSECTION. 10. *a.* If a provision of an Act  
 6 of the general assembly expressly requires rulemaking  
 7 by an agency, or if another statute that governs or  
 8 is directly related to a provision of an Act of the  
 9 general assembly expressly requires rulemaking by an

- 10 agency, the>  
 11 2. Page 1, line 9, by striking <a.> and inserting  
 12 <(1)>  
 13 3. Page 1, line 12, by striking <b.> and inserting  
 14 <(2)>  
 15 4. Page 1, line 17, by striking <required or  
 16 necessary.> and inserting <required.>  
 17 5. Page 1, after line 21 by inserting:  
 18 <b. This subsection shall not be construed to  
 19 prohibit an agency from conducting rulemaking relating  
 20 to a provision of an Act of the general assembly  
 21 for which a submission was not made pursuant to  
 22 paragraph "a". This subsection shall not be construed  
 23 to prohibit an agency from conducting additional  
 24 rulemaking subsequent to completion of any rulemaking  
 25 for which a submission was made pursuant to paragraph  
 26 "a">  
 27 6. Page 1, by striking lines 24 and 25 and  
 28 inserting:  
 29 <Sec. \_\_. RETROACTIVE APPLICABILITY. This Act  
 30 applies retroactively to any provisions of Acts enacted  
 31 on or after January 11, 2016.>  
 32 7. Title page, line 3, before <applicability> by  
 33 inserting <retroactive>  
 34 8. By renumbering as necessary.

COMMITTEE ON GOVERNMENT  
 OVERSIGHT  
 ROBERT M. HOGG, Chair

## S-5153

- 1 Amend Senate File 2322 as follows:  
 2 1. Page 8, after line 30 by inserting:  
 3 <~~It is the intent of the general assembly that the  
 4 first judicial district department of correctional  
 5 services maintain the drug courts operated by the  
 6 district department.~~>  
 7 2. Page 8, after line 34 by inserting:  
 8 <~~It is the intent of the general assembly that the  
 9 second judicial district department of correctional  
 10 services establish and maintain two drug courts to be  
 11 operated by the district department.~~>  
 12 3. Page 9, after line 12 by inserting:  
 13 <~~It is the intent of the general assembly that the  
 14 fifth judicial district department of correctional  
 15 services maintain the drug court operated by the  
 16 district department.~~>  
 17 4. Page 9, after line 16 by inserting:  
 18 <~~It is the intent of the general assembly that the  
 19 sixth judicial district department of correctional  
 20 services maintain the drug court operated by the~~>

21 ~~district department.>~~

22 5. Page 9, after line 20 by inserting:

23 <It is the intent of the general assembly that the  
24 seventh judicial district department of correctional  
25 services maintain the drug court operated by the  
26 district department.>

27 6. Page 14, lines 23 and 24, by striking <lettered  
28 paragraph> and inserting <subsection>

29 7. Page 22, by striking lines 12 through 14 and  
30 inserting <paragraph "b", to implement the provisions  
31 of this section of this Act. Any rules adopted>

THOMAS G. COURTNEY

**S-5154**

1 Amend House File 2458, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. Page 3, after line 21 by inserting:

4 <Sec. \_\_\_\_ CONSUMER EDUCATION AND LITIGATION —  
5 FARM MEDIATION. Notwithstanding section 714.16C,  
6 there is appropriated from the consumer education and  
7 litigation fund to the department of justice for the  
8 fiscal year beginning July 1, 2016, and ending June 30,  
9 2017, the following amount, or so much thereof as is  
10 necessary, to be used for the purposes designated:

11 For farm mediation services as specified in section  
12 13.13, subsection 2:

13 ..... \$ 300,000>

14 2. Page 8, by striking lines 31 through 33 and  
15 inserting:

16 <It is the intent of the general assembly that the  
17 first judicial district department of correctional  
18 services maintain the drug courts operated by the  
19 district department.>

20 3. Page 9, by striking lines 3 through 6 and  
21 inserting:

22 <It is the intent of the general assembly that the  
23 second judicial district department of correctional  
24 services establish and maintain two drug courts to be  
25 operated by the district department.>

26 4. Page 9, by striking lines 20 through 22 and  
27 inserting:

28 <It is the intent of the general assembly that the  
29 fifth judicial district department of correctional  
30 services maintain the drug court operated by the  
31 district department.>

32 5. Page 9, by striking lines 27 through 29 and  
33 inserting:

34 <It is the intent of the general assembly that the  
35 sixth judicial district department of correctional

Page 2

1 services maintain the drug court operated by the  
 2 district department.>  
 3 6. By striking page 9, line 34, through page 10,  
 4 line 1, and inserting:  
 5 <It is the intent of the general assembly that the  
 6 seventh judicial district department of correctional  
 7 services maintain the drug court operated by the  
 8 district department.>  
 9 7. Page 18, line 16, by striking <9.528.227> and  
 10 inserting <9.357.591>  
 11 8. Page 18, line 18, by striking <72.00> and  
 12 inserting <71.00>  
 13 9. Page 18, after line 34 by inserting:  
 14 <Sec. \_\_. HUMAN TRAFFICKING. Notwithstanding  
 15 section 8A.365, for the fiscal year beginning July  
 16 1, 2016, and ending June 30, 2017, the department of  
 17 public safety shall not be obligated to pay up to  
 18 \$200,000 of the depreciation expense otherwise required  
 19 by section 8A.365 in order to fund the staffing  
 20 of the office to combat human trafficking, and the  
 21 moneys generated from not paying the depreciation  
 22 expense shall be used to add 2.00 full-time equivalent  
 23 positions to staff the office to combat human  
 24 trafficking established in section 80.45 as enacted by  
 25 2016 Iowa Acts, Senate File 2191.>

THOMAS G. COURTNEY

**S-5155**

HOUSE AMENDMENT TO  
 SENATE AMENDMENT TO  
 HOUSE FILE 2394

1 Amend the Senate amendment, H-8197 to House File  
 2 2394, as amended, passed, and reprinted by the House,  
 3 as follows:  
 4 1. Page 2, by striking lines 7 through 9 and  
 5 inserting <clear and understandable form.>>

**S-5156**

1 Amend Senate File 2326 as follows:  
 2 1. Page 1, by striking lines 17 through 23 and  
 3 inserting:  
 4 <NEW PARAGRAPH. *Of.* Each fiscal year, the program  
 5 manager shall allocate an amount to the department  
 6 of public safety for the payment of costs due under  
 7 a financing agreement entered into by the treasurer  
 8 of state for building the statewide interoperable

9 communications system pursuant to section 29C.23,  
10 subsection 2, until such financing agreement is fully  
11 executed.>

JEFF DANIELSON

**S-5157**

1 Amend House File 2459, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <DIVISION I

6 STANDING APPROPRIATIONS AND RELATED MATTERS

7 Section 1. 2015 Iowa Acts, chapter 138, section 3,  
8 is amended by adding the following new subsection:

9 NEW SUBSECTION. 4. For the peace officers'  
10 retirement, accident, and disability system retirement  
11 fund under section 97A.11A:

12 ..... \$ 2,500,000

13 Sec. 2. 2015 Iowa Acts, chapter 138, is amended by  
14 adding the following new section:

15 NEW SECTION. SEC. 5A. GENERAL ASSEMBLY.

16 1. The appropriations made pursuant to section  
17 2.12 for the expenses of the general assembly and  
18 legislative agencies for the fiscal year beginning July  
19 1, 2016, and ending June 30, 2017, are reduced by the  
20 following amount:

21 ..... \$ 5,400,000

22 2. The budgeted amounts for the general assembly  
23 and legislative agencies for the fiscal year beginning  
24 July 1, 2016, may be adjusted to reflect the unexpended  
25 budgeted amounts from the previous fiscal year.

26 Sec. 3. 2015 Iowa Acts, chapter 138, is amended by  
27 adding the following new section:

28 NEW SECTION. SEC. 7A. Section 257.35, Code 2016,  
29 is amended by adding the following new subsection:

30 NEW SUBSECTION. 10A. Notwithstanding subsection 1,  
31 and in addition to the reduction applicable pursuant  
32 to subsection 2, the state aid for area education  
33 agencies and the portion of the combined district cost  
34 calculated for these agencies for the fiscal year  
35 beginning July 1, 2016, and ending June 30, 2017,

1 shall be reduced by the department of management by  
2 eighteen million seven hundred fifty thousand dollars.  
3 The reduction for each area education agency shall  
4 be prorated based on the reduction that the agency  
5 received in the fiscal year beginning July 1, 2003.

6 Sec. 4. Section 2.48, subsection 3, Code 2016, is

7 amended by adding the following new paragraph:

8 **NEW PARAGRAPH.** *Of.* In 2016:

9 (1) The homestead tax credit under chapter 425.

10 (2) The elderly and disabled property tax credit  
11 under chapter 425.

12 (3) The agricultural land tax credit under chapter  
13 426.

14 (4) The military service tax credit under chapter  
15 426A.

16 (5) The business property tax credit under chapter  
17 426C.

18 (6) The commercial and industrial property tax  
19 replacement claims under section 441.21A.

20 Sec. 5. Section 230.8, Code 2016, is amended to  
21 read as follows:

22 **230.8 Transfers of persons with mental illness —**  
23 **expenses.**

24 The transfer to any state hospitals or to the places  
25 of their residence of persons with mental illness who  
26 have no residence in this state or whose residence is  
27 unknown and deemed to be a state case, shall be made  
28 according to the directions of the administrator,  
29 and when practicable by employees of the state  
30 hospitals. The actual and necessary expenses of such  
31 transfers shall be paid by the department on itemized  
32 vouchers sworn to by the claimants and approved by  
33 the administrator, ~~and the amount of the expenses is~~  
34 ~~appropriated to the department from any funds in the~~  
35 ~~state treasury not otherwise appropriated.~~

Page 3

1 Sec. 6. Section 820.24, Code 2016, is amended to  
2 read as follows:

3 **820.24 Expenses — how paid.**

4 When the punishment of the crime shall be the  
5 confinement of the criminal in the penitentiary, the  
6 expenses shall be paid ~~out of the state treasury, on~~  
7 ~~the certificate of the governor and warrant of the~~  
8 ~~director of the department of administrative services~~  
9 by the department of corrections; and in all other  
10 cases they shall be paid out of the county treasury in  
11 the county wherein the crime is alleged to have been  
12 committed. The expenses shall be the fees paid to the  
13 officers of the state on whose governor the requisition  
14 is made, and all necessary and actual traveling  
15 expenses incurred in returning the prisoner.

#### 16 DIVISION II

#### 17 MISCELLANEOUS PROVISIONS

18 Sec. 7. FRIENDSHIP AND LEADERSHIP  
19 DEVELOPMENT. There is appropriated from the general  
20 fund of the state to the department of education for

21 the fiscal year beginning July 1, 2016, and ending June  
22 30, 2017, the following amount, or so much thereof as  
23 is necessary, to be used for the purposes designated:

24 To provide a grant to a nonprofit organization with  
25 a mission of promoting the education-based inclusion of  
26 people with intellectual and developmental disabilities  
27 through one-to-one friendships and leadership  
28 development through school-based programs:

29 ..... \$ 50,000

30 Sec. 8. EQUAL PAY TASK FORCE — REPORT. The  
31 legislative council is requested to create an equal pay  
32 task force consisting of seven members. The task force  
33 shall consist of two members of the senate appointed by  
34 the majority leader of the senate, one member of the  
35 senate appointed by the minority leader of the senate,

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1 two members of the house of representatives appointed  
2 by the speaker of the house of representatives, one  
3 member of the house of representatives appointed by the  
4 minority leader of the house of representatives, and  
5 the labor commissioner. The task force shall study  
6 wage discrepancies between men and women both in public  
7 and private employment. The task force shall submit  
8 a report regarding its findings and recommendations  
9 regarding potential actions for the elimination and  
10 prevention of the wage disparities between men and  
11 women to the governor and the general assembly not  
12 later than December 22, 2017. The legislative services  
13 agency shall provide staffing services to the task  
14 force.

15 Sec. 9. INCOME TAX CHECKOFFS. Notwithstanding  
16 Code section 422.12E which provides for the repeal  
17 of certain income tax return checkoffs when the same  
18 four checkoffs have been provided on the income tax  
19 return for two consecutive years, the four income tax  
20 return checkoffs provided in sections 422.12D, 422.12H,  
21 422.12K, and 422.12L, Code 2016, as appearing on the  
22 2015 individual income tax return, shall be allowed for  
23 the tax year beginning January 1, 2016, and shall be  
24 provided on the 2016 individual income tax return.

25 Sec. 10. SALARY MODEL ADMINISTRATOR. The salary  
26 model administrator shall work in conjunction with  
27 the legislative services agency to maintain the  
28 state's salary model used for analyzing, comparing,  
29 and projecting state employee salary and benefit  
30 information, including information relating to  
31 employees of the state board of regents. The  
32 department of revenue, the department of administrative  
33 services, the five institutions under the jurisdiction  
34 of the state board of regents, the judicial district  
35 departments of correctional services, and the state



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1 department of transportation shall provide salary data  
2 to the department of management and the legislative  
3 services agency to operate the state's salary  
4 model. The format and frequency of provision of the  
5 salary data shall be determined by the department of  
6 management and the legislative services agency. The  
7 information shall be used in collective bargaining  
8 processes under chapter 20 and in calculating the  
9 funding needs contained within the annual salary  
10 adjustment legislation. A state employee organization  
11 as defined in section 20.3, subsection 4, may request  
12 information produced by the model, but the information  
13 provided shall not contain information attributable to  
14 individual employees.

15 Sec. 11. Section 24.32, Code 2016, is amended to  
16 read as follows:

17 **24.32 Decision certified.**

18 After a hearing upon the appeal, the state board  
19 shall certify its decision to the county auditor and  
20 to the parties to the appeal as provided by rule, and  
21 the decision shall be final. The county auditor shall  
22 make up the records in accordance with the decision and  
23 the levying board shall make its levy in accordance  
24 with the decision. Upon receipt of the decision, the  
25 certifying board shall correct its records accordingly,  
26 if necessary. Final disposition of all appeals shall  
27 be made by the state board ~~on or before April 30 of~~  
28 each year within forty-five days after the date of the  
29 appeal hearing.

30 Sec. 12. NEW SECTION. **135.37A Natural hair**  
31 **braiding.**

32 1. A person shall register with the department in  
33 order to perform a commercial service involving natural  
34 hair braiding. For purposes of this section, "*natural*  
35 *hair braiding*" means a method of natural hair care

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1 consisting of braiding, locking, twisting, weaving,  
2 cornrowing, or otherwise physically manipulating  
3 hair without the use of chemicals to alter the hair's  
4 physical characteristics that incorporates both  
5 traditional and modern styling techniques.

6 2. The department shall adopt rules pursuant  
7 to chapter 17A to administer this section. Such  
8 rules shall include but not be limited to all of the  
9 following:

- 10 a. Establishing minimum safety and sanitation  
11 criteria for the provision of natural hair braiding.  
12 b. Requiring a person performing natural hair

13 braiding to complete one hour per calendar year of  
 14 continuing education regarding minimum safety and  
 15 sanitation criteria for the provision of natural hair  
 16 braiding.

17 c. Authorizing the department to inspect a location  
 18 where a person performs natural hair braiding upon  
 19 receipt of a complaint to the department about that  
 20 person or location.

21 3. If the department determines that a person is  
 22 in violation of a requirement under this section, the  
 23 department may order the person to cease performing  
 24 natural hair braiding until the necessary corrective  
 25 action has been taken.

26 Sec. 13. Section 256.7, subsection 32, paragraph c,  
 27 unnumbered paragraph 1, Code 2016, is amended to read  
 28 as follows:

29 Adopt rules that limit the statewide enrollment of  
 30 pupils in educational instruction and course content  
 31 that are delivered primarily over the internet to not  
 32 more than eighteen one-hundredths of one percent of  
 33 the statewide enrollment of all pupils, and that limit  
 34 the number of pupils participating in open enrollment  
 35 for purposes of receiving educational instruction

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1 and course content that are delivered primarily over  
 2 the internet to no more than one percent of a sending  
 3 district's enrollment. ~~Until June 30, 2018, such~~ Such  
 4 limitations shall not apply if the limitations would  
 5 prevent siblings from enrolling in the same school  
 6 district or if a sending district determines that  
 7 the educational needs of a physically or emotionally  
 8 fragile student would be best served by educational  
 9 instruction and course content that are delivered  
 10 primarily over the internet. Students who meet the  
 11 requirements of section 282.18 may participate in open  
 12 enrollment under this paragraph "c" for purposes of  
 13 enrolling only in the CAM community school district or  
 14 the Clayton Ridge community school district.

15 Sec. 14. Section 256.7, subsection 32, paragraph  
 16 c, Code 2016, is amended by adding the following new  
 17 subparagraph:

18 NEW SUBPARAGRAPH. (6) This paragraph "c" is  
 19 repealed July 1, 2018.

20 Sec. 15. Section 364.3, Code 2016, is amended by  
 21 adding the following new subsection:

22 NEW SUBSECTION. 11. A city, including any city  
 23 officer, shall not adopt or enforce any ordinance,  
 24 resolution, or other policy restricting the mayor from  
 25 communicating with the city attorney or solicitor  
 26 regarding any matter within the scope of the mayor's

27 powers and duties as chief executive officer of the  
 28 city, presiding officer of the council, or supervisor  
 29 over city officers and departments.  
 30 Sec. 16. Section 418.12, subsection 5, Code 2016,  
 31 is amended to read as follows:  
 32 5. If the department of revenue determines that  
 33 the revenue accruing to the fund or accounts within  
 34 the fund exceeds thirty million dollars for a fiscal  
 35 year or exceeds the amount necessary for the purposes

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1 of this chapter if the amount necessary is less than  
 2 thirty million dollars for a fiscal year, then those  
 3 excess moneys shall be credited by the department of  
 4 revenue for deposit in the general fund of the state.  
 5 Sec. 17. Section 915.25, subsection 3, as enacted  
 6 by 2016 Iowa Acts, Senate File 2288, section 16, is  
 7 amended to read as follows:  
 8 3. Notwithstanding the provisions of sections  
 9 232.147, 232.149, and 232.149A, an intake or juvenile  
 10 court officer shall disclose to the alleged victim  
 11 of a delinquent act, upon the request of the victim,  
 12 the complaint, the name and address of the child  
 13 who allegedly committed the delinquent act, and  
 14 the disposition of the complaint. If the alleged  
 15 delinquent act would be a ~~forcible felony~~ serious  
 16 misdemeanor, aggravated misdemeanor, or felony offense  
 17 if committed by an adult, the intake or juvenile court  
 18 officer shall provide notification to the victim of the  
 19 delinquent act as required by section 915.24.

20 Sec. 18. 2016 Iowa Acts, Senate File 2314, section  
 21 22, if enacted, is amended to read as follows:  
 22 SEC. 59. SECRETARY OF STATE. There is appropriated  
 23 from the general fund of the state to the office of  
 24 the secretary of state for the fiscal year beginning  
 25 July 1, 2016, and ending June 30, 2017, the following  
 26 amounts, or so much thereof as is necessary, to be used  
 27 for the purposes designated:

28 1. ADMINISTRATION AND ELECTIONS

29 For salaries, support, maintenance, and  
 30 miscellaneous purposes, and for not more than the  
 31 following full-time equivalent positions:

32 .....	\$	1,440,890
33 .....	FTEs	<del>13.10</del>
34 .....		<u>15.60</u>

35 The state department or state agency which provides

1 data processing services to support voter registration  
2 file maintenance and storage shall provide those  
3 services without charge.

4 2. BUSINESS SERVICES

5 For salaries, support, maintenance, and  
6 miscellaneous purposes, and for not more than the  
7 following full-time equivalent positions:

8 .....	\$	1,440,891
9 .....	FTEs	<u>13.10</u>
10		<u>15.60</u>

11 DIVISION III

12 FLOOD MITIGATION PROGRAM

13 Sec. 19. Section 418.15, subsection 1, Code 2016,  
14 is amended to read as follows:

15 1. a. A governmental entity shall not receive  
16 remittances of sales tax revenue under this chapter  
17 after twenty years from the date the governmental  
18 entity's project was approved by the board or after  
19 expiration of the additional period of years if  
20 approved under paragraph "b" unless the remittance  
21 amount is calculated under section 418.11 based on  
22 sales subject to the tax under section 432.2 occurring  
23 before the expiration of the twenty-year period  
24 or expiration of the additional period of years if  
25 approved under paragraph "b"

26 b. The twenty-year period for receiving remittances  
27 of sales tax revenue under this chapter may be extended  
28 upon application by the governmental entity and  
29 approval by the board. An application for an extension  
30 of the twenty-year period must be filed by the  
31 governmental entity with the board prior to expiration  
32 of the twenty-year period. The board may approve the  
33 governmental entity to receive remittances of sales tax  
34 revenue under this chapter for an additional period of  
35 consecutive years beyond the twenty-year period if all

1 of the following are satisfied:

2 (1) The total amount of remittances actually  
3 received by the governmental entity during the  
4 twenty-year period are less than the total amount of  
5 remittances for which the governmental entity was  
6 approved to receive by the board at the time of the  
7 project's approval under section 418.9, subsection  
8 4, and reduced under section 418.9, subsection 8,  
9 or section 418.12, subsection 6, paragraph "b", if  
10 applicable.

11 (2) The amount of the remittances approved in  
12 each additional year does not exceed fifteen million

13 dollars or seventy percent of the total yearly amount  
 14 of increased sales tax increment revenue in the  
 15 governmental entity's applicable area and deposited in  
 16 the governmental entity's account, whichever is less.  
 17 (3) The total amount of remittances in any such  
 18 additional fiscal year for all governmental entities  
 19 approved to use sales tax revenues under this chapter  
 20 does not exceed, in the aggregate, thirty million  
 21 dollars.  
 22 (4) The total amount of remittances to the  
 23 governmental entity approved by the board for all  
 24 additional years does not exceed the difference between  
 25 the total amount of remittances actually received  
 26 by the governmental entity during the twenty-year  
 27 period and the total amount of remittances for which  
 28 the governmental entity was approved to receive by  
 29 the board at the time of the project's approval under  
 30 section 418.9, subsection 4, and reduced under section  
 31 418.9, subsection 8, or section 418.12, subsection 6,  
 32 paragraph "b", if applicable.

33 DIVISION IV

34 CORRECTIVE PROVISIONS

35 Sec. 20. Section 29C.24, subsection 3, paragraph

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1 a, subparagraphs (3) and (6), if enacted by 2016 Iowa  
 2 Acts, Senate File 2306, section 2, are amended to read  
 3 as follows:  
 4 (3) The imposition of income taxes under chapter  
 5 422, divisions II and III, including the requirement  
 6 to file tax returns under sections 422.13 through  
 7 422.15 or section 422.36, as applicable, and  
 8 including the requirement to withhold and remit  
 9 income tax from out-of-state employees under section  
 10 422.16. In addition, the performance of disaster or  
 11 emergency-related work during a disaster response  
 12 period by an out-of-state business or out-of-state  
 13 employee shall not require an out-of-state business  
 14 to be included in a consolidated return under section  
 15 422.37, and shall not increase the amount of net income  
 16 of the out-of-state business allocated and apportioned  
 17 to the state under ~~sections~~ section 422.8 or 422.33, as  
 18 applicable.  
 19 (6) The assessment of property taxes by the  
 20 department of revenue under sections 428.24 through  
 21 428.26, 428.28, and 428.29, or chapters 433, 434,  
 22 435, and 437 through 438, or by a local assessor  
 23 under another provision of law, on property brought  
 24 into the state to aid in the performance of disaster  
 25 or emergency-related work during a disaster response  
 26 period if such property does not remain in the state

27 after the conclusion of the disaster response period.

28 Sec. 21. Section 29C.24, subsection 4, if enacted  
29 by 2016 Iowa Acts, Senate File 2306, section 2, is  
30 amended to read as follows:

31 4. *Business and employee status after a disaster*  
32 *response period.* An out-of-state business or  
33 out-of-state employee that remains in the state after  
34 the conclusion of the disaster response period ~~for~~  
35 during which the disaster or emergency-related work

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1 was performed shall be fully subject to the state's  
2 standards for establishing presence, residency, or  
3 doing business as otherwise provided by law, and  
4 shall be responsible for any resulting taxes, fees,  
5 licensing, registration, filing, or other requirements.

6 Sec. 22. Section 155A.13, subsection 3, paragraph  
7 d, if enacted by 2016 Iowa Acts, Senate File 453,  
8 section 3, is amended to read as follows:

9 d. An applicant seeking a special or limited-use  
10 pharmacy ~~licensed license~~ for a proposed telepharmacy  
11 site that does not meet the mileage requirement  
12 established in paragraph "c" and is not statutorily  
13 exempt from the mileage requirement may apply to the  
14 board for a waiver of the mileage requirement. A  
15 waiver request shall only be granted if the applicant  
16 can demonstrate to the board that the proposed  
17 telepharmacy site is located in an area where there is  
18 limited access to pharmacy services and can establish  
19 the existence of compelling circumstances that justify  
20 waiving the mileage requirement. The board's decision  
21 to grant or deny a waiver request shall be a proposed  
22 decision subject to mandatory review by the director  
23 ~~of the department~~ of public health. The director  
24 shall review a proposed decision and shall have the  
25 power to approve, modify, or veto a proposed decision.  
26 The director's decision on a waiver request shall be  
27 considered final agency action subject to judicial  
28 review under chapter 17A.

29 Sec. 23. Section 229.13, subsection 7, paragraph a,  
30 subparagraph (1), if enacted by 2016 Iowa Acts, Senate  
31 File 2259, section 1, is amended to read as follows:

32 (1) The respondent's mental health professional  
33 acting within the scope of the mental health  
34 professional's practice shall notify the committing  
35 court, with preference given to the committing judge,

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1 if available, in the appropriate county ~~who~~ and the  
2 court shall enter a written order directing that  
3 the respondent be taken into immediate custody by  
4 the appropriate sheriff or sheriff's deputy. The  
5 appropriate sheriff or sheriff's deputy shall exercise  
6 all due diligence in taking the respondent into  
7 protective custody to a hospital or other suitable  
8 facility.

9 Sec. 24. Section 272.25, subsection 3, Code 2016,  
10 as amended by 2016 Iowa Acts, Senate File 2196, section  
11 3, is amended to read as follows:

12 3. A requirement that the program include  
13 instruction in skills and strategies to be used in  
14 classroom management of individuals, and of small and  
15 large groups, under varying conditions; skills for  
16 communicating and working constructively with pupils,  
17 teachers, administrators, and parents; preparation in  
18 reading theory, knowledge, strategies, and approaches,  
19 and for integrating literacy instruction ~~in~~ into  
20 content areas in accordance with section 256.16; and  
21 skills for understanding the role of the board of  
22 education and the functions of other education agencies  
23 in the state. The requirement shall be based upon  
24 recommendations of the department of education after  
25 consultation with teacher education faculty members in  
26 colleges and universities.

27 Sec. 25. Section 598C.102, subsection 8, paragraph  
28 b, if enacted by 2016 Iowa Acts, Senate File 2233,  
29 section 2, is amended to read as follows:

30 b. An individual who has custodial responsibility  
31 for a child under a law of this state other than this  
32 chapter.

33 Sec. 26. 2016 Iowa Acts, House File 2269, section  
34 20, subsection 1, is amended to read as follows:

35 1. It is amended, rescinded, or supplemented by the

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1 affirmative action of the executive ~~council~~ committee  
2 of the Iowa beef cattle producers association created  
3 in section 181.3, as amended in this Act.

4 Sec. 27. 2016 Iowa Acts, Senate File 378, section  
5 2, is amended to read as follows:

6 SEC. 2. REPEAL. Section 80.37, Code ~~2015~~ 2016, is  
7 repealed.

8 Sec. 28. 2016 Iowa Acts, Senate File 2185, section  
9 2, if enacted, is amended by striking the section and  
10 inserting in lieu thereof the following:

11 SEC. 2. Section 709.21, subsection 3, Code 2016, is  
12 amended to read as follows:

13 3. A person who violates this section commits a  
14 ~~serious an aggravated~~ misdemeanor.

15 DIVISION V

16 FOOD DONATION ON STATE CAPITOL PREMISES

17 Sec. 29. NEW SECTION. **2.43A Food served on state**  
18 **capitol premises.**

19 1. As used in this section, unless the context  
20 otherwise requires:

21 a. *“Apparently wholesome food”* means food that meets  
22 all quality and labeling standards or requirements  
23 adopted by the federal and state governments, and the  
24 city of Des Moines, even though the food may not be  
25 readily marketable due to appearance, age, freshness,  
26 grade, size, surplus, or other conditions.

27 b. *“Emergency feeding organization”* means the same  
28 as defined in section 190B.201.

29 c. *“Food bank”* means the same as defined in section  
30 190B.201.

31 2. The secretary of the senate and the chief clerk  
32 of the house of representatives shall require any  
33 person who is approved to sponsor an event within  
34 or on the grounds of the state capitol during which  
35 the person offers food to all members of the general

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1 assembly during a legislative session to offer to  
2 donate any unconsumed apparently wholesome food to a  
3 food bank, homeless shelter, homeless outreach program,  
4 or an emergency feeding organization. The legislative  
5 council may also require any person who is approved by  
6 the legislative council to sponsor an event within or  
7 on the grounds of the state capitol during which the  
8 person provides food to offer to donate any unconsumed  
9 apparently wholesome food to a food bank, homeless  
10 shelter, homeless outreach program, or emergency  
11 feeding organization.

12 DIVISION VI

13 FOOD DONATION PROGRAMS

14 Sec. 30. Section 190B.101, Code 2016, is amended to  
15 read as follows:

16 **190B.101 Definitions.**

17 As used in this ~~chapter~~ subchapter, unless the  
18 context otherwise requires:

19 1. *“Department”* means the department of revenue.

20 2. *“Tax credit”* means the from farm to food  
21 donation tax credit as established in this ~~chapter~~  
22 subchapter.

23 Sec. 31. NEW SECTION. **190B.201 Definitions.**

24 As used in this subchapter, unless the context  
25 otherwise requires:

26 1. *“Department”* means the department of agriculture



27 and land stewardship.

28 2. *“Eligible agricultural product”* or *“product”*  
29 means any commodity that is derived from an  
30 agricultural animal or crop, both as defined in section  
31 717A.1, which is intended for human consumption as food  
32 in its raw or processed state.

33 3. *“Emergency feeding organization”* means an  
34 emergency feeding organization as defined in section  
35 7 U.S.C. §7501 that serves Iowans and operates at a

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1 congregate nutritional site.

2 4. *“Food”* means a substance which is used in whole  
3 or in part for human consumption in compliance with  
4 federal and state standards or requirements, including  
5 a donated food that meets the requirements of the  
6 federal emergency food assistance program, as provided  
7 in 7 C.F.R. pts. 250 and 251.

8 5. *“Food bank”* means a private nonprofit entity  
9 that serves Iowans and meets all of the following  
10 requirements:

11 a. The food bank is organized under chapter 504.

12 b. The food bank qualifies under section 501(c)(3)  
13 of the Internal Revenue Code as an organization exempt  
14 from federal income tax under section 501(a) of the  
15 Internal Revenue Code.

16 c. The food bank maintains an established operation  
17 involving the provision of food or edible commodities  
18 or the products thereof on a regular basis to persons  
19 in need or to food pantries, soup kitchens, hunger  
20 relief centers, or other food or feeding centers that,  
21 as an integral part of their normal activities, provide  
22 meals or food on a regular basis to persons in need.

23 6. *“Iowa food bank association”* or *“association”*  
24 means a private nonprofit entity that meets all of the  
25 following requirements:

26 a. The association is organized under chapter 504.

27 b. The association qualifies under section  
28 501(c)(3) of the Internal Revenue Code as an  
29 organization exempt from federal income tax under  
30 section 501(a) of the Internal Revenue Code.

31 c. The association’s members include food banks,  
32 or affiliations of food banks, that together serve all  
33 counties in this state.

34 d. The association’s principal office is located in  
35 this state.

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1 Sec. 32. NEW SECTION. 190B.202 Administration —  
 2 **use of moneys and oversight.**

3 1. This subchapter shall be administered by the  
 4 department of agriculture and land stewardship. In  
 5 adopting rules and administering the Iowa agricultural  
 6 products clearance program established under section  
 7 190B.204, the department shall cooperate with the  
 8 department of human services and the department of  
 9 inspections and appeals.

10 2. A program established in this subchapter shall  
 11 be managed by an Iowa food bank association selected by  
 12 the department. The association shall report to the  
 13 department as required by the department.

14 3. A program established in this subchapter shall  
 15 be carried out only to the extent that moneys are  
 16 available to support the program. The department may  
 17 support a program from moneys appropriated by the  
 18 general assembly to fund the program's purpose and any  
 19 other moneys available to and obtained or accepted by  
 20 the department from the federal government or private  
 21 sources.

22 Sec. 33. NEW SECTION. 190B.203 Management of  
 23 **programs — Iowa food bank association.**

24 1. The department shall enter into a contract  
 25 with an Iowa food bank association to manage programs  
 26 established under this subchapter.

27 2. In managing a program, the association shall do  
 28 all of the following:

29 a. Acquire eligible agricultural products,  
 30 including by purchase.

31 b. Arrange for the processing and packaging of  
 32 eligible agricultural products into food, when such  
 33 processing is necessary to comply with federal and  
 34 state food safety regulations.

35 c. Provide for the storage and transportation of

Page 18

1 eligible agricultural products.

2 d. Provide for the distribution of eligible  
 3 agricultural products.

4 3. In managing a program, the association  
 5 shall to every extent feasible create and expand  
 6 significant economic benefits in local communities.  
 7 The association shall purchase products and services  
 8 from individuals and businesses located in this state  
 9 whenever the price is reasonably competitive and the  
 10 quality as intended.

11 Sec. 34. NEW SECTION. 190B.204 Iowa agricultural  
 12 **products clearance program — establishment and purpose.**

13 1. The department shall establish an Iowa  
14 agricultural products clearance program to be managed  
15 by an Iowa food bank association selected by the  
16 department as provided in section 190B.203.

17 2. The purpose of the program is to acquire surplus  
18 eligible agricultural products from agricultural  
19 producers and other persons in order to prevent  
20 unnecessary waste, reduce economic losses associated  
21 with paying for the processing and transportation of  
22 such products that otherwise do not have profitable  
23 markets, and to provide nutritional food to low-income  
24 families and individuals who reside in this state and  
25 to unemployed families and individuals who reside in  
26 this state.

27 3. The Iowa food bank association managing the  
28 program shall only distribute eligible agricultural  
29 products under the program to Iowa food banks in this  
30 state and emergency feeding organizations in this  
31 state.

32 Sec. 35. **NEW SECTION. 190B.205 Iowa emergency food**  
33 **purchase program — establishment and purpose.**

34 1. The department shall establish an Iowa emergency  
35 food purchase program to be managed by an Iowa food

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1 bank association selected by the department as provided  
2 in section 190B.203.

3 2. The purpose of the program is to relieve  
4 situations of emergency experienced by families  
5 or individuals who reside in this state, including  
6 low-income families and individuals and unemployed  
7 families and individuals, by distributing food to those  
8 persons.

9 3. The Iowa food bank association managing the  
10 program shall only distribute food under the program to  
11 emergency feeding organizations in this state.

12 Sec. 36. **FOOD DONATION PROGRAMS.** There is  
13 appropriated from the general fund of the state to the  
14 department of agriculture and land stewardship for the  
15 fiscal year beginning July 1, 2016, and ending June 30,  
16 2017, the following amounts, or so much thereof as is  
17 necessary, to be used for the purposes designated:

18 For purposes of supporting the Iowa emergency food  
19 purchase program provided in chapter 190B, subchapter  
20 II, as enacted in this Act:

21 ..... \$ 250,000

22 The moneys appropriated in this section shall be  
23 allocated to support the Iowa emergency food purchase  
24 program only to the extent that the allocated moneys  
25 are matched on a dollar-for-dollar basis.



S-5158

1 Amend House File 2460, as amended, passed, and  
 2 reprinted by the House, as follows:

3 1. By striking everything after the enacting clause  
 4 and inserting:

5 <DIVISION I

6 DEPARTMENT ON AGING — FY 2016–2017

7 Section 1. 2015 Iowa Acts, chapter 137, section  
 8 121, is amended to read as follows:

9 SEC. 121. DEPARTMENT ON AGING. There is  
 10 appropriated from the general fund of the state to  
 11 the department on aging for the fiscal year beginning  
 12 July 1, 2016, and ending June 30, 2017, the following  
 13 amount, or so much thereof as is necessary, to be used  
 14 for the purposes designated:

15 For aging programs for the department on aging and  
 16 area agencies on aging to provide citizens of Iowa who  
 17 are 60 years of age and older with case management for  
 18 frail elders, Iowa’s aging and disabilities resource  
 19 center, and other services which may include but are  
 20 not limited to adult day services, respite care, chore  
 21 services, information and assistance, and material aid,  
 22 for information and options counseling for persons with  
 23 disabilities who are 18 years of age or older, and  
 24 for salaries, support, administration, maintenance,  
 25 and miscellaneous purposes, and for not more than the  
 26 following full-time equivalent positions:

27 .....	\$	5,699,866
28 .....		<u>12,498,603</u>
29 .....	FTEs	31.00

30 1. Funds appropriated in this section may be used  
 31 to supplement federal funds under federal regulations.  
 32 To receive funds appropriated in this section, a local  
 33 area agency on aging shall match the funds with moneys  
 34 from other sources according to rules adopted by the  
 35 department. Funds appropriated in this section may be

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1 used for elderly services not specifically enumerated  
 2 in this section only if approved by an area agency on  
 3 aging for provision of the service within the area.

4 2. Of the funds appropriated in this section,  
 5 ~~\$130,973~~ \$279,946 is transferred to the economic  
 6 development authority for the Iowa commission on  
 7 volunteer services to be used for the retired and  
 8 senior volunteer program.

9 3. a. The department on aging shall establish and  
 10 enforce procedures relating to expenditure of state and  
 11 federal funds by area agencies on aging that require  
 12 compliance with both state and federal laws, rules, and

13 regulations, including but not limited to all of the  
14 following:

15 (1) Requiring that expenditures are incurred only  
16 for goods or services received or performed prior to  
17 the end of the fiscal period designated for use of the  
18 funds.

19 (2) Prohibiting prepayment for goods or services  
20 not received or performed prior to the end of the  
21 fiscal period designated for use of the funds.

22 (3) Prohibiting the prepayment for goods or  
23 services not defined specifically by good or service,  
24 time period, or recipient.

25 (4) Prohibiting the establishment of accounts from  
26 which future goods or services which are not defined  
27 specifically by good or service, time period, or  
28 recipient, may be purchased.

29 b. The procedures shall provide that if any funds  
30 are expended in a manner that is not in compliance with  
31 the procedures and applicable federal and state laws,  
32 rules, and regulations, and are subsequently subject  
33 to repayment, the area agency on aging expending such  
34 funds in contravention of such procedures, laws, rules  
35 and regulations, not the state, shall be liable for

Page 3

1 such repayment.

2 4. Of the funds appropriated in this section, at  
3 least ~~\$125,000~~ \$250,000 shall be used to fund the unmet  
4 needs identified through Iowa's aging and disability  
5 resource center network.

6 5. Of the funds appropriated in this section, at  
7 least ~~\$300,000~~ \$600,000 shall be used to fund home and  
8 community-based services through the area agencies  
9 on aging that enable older individuals to avoid more  
10 costly utilization of residential or institutional  
11 services and remain in their own homes.

12 6. Of the funds appropriated in this section,  
13 ~~\$406,833~~ \$912,537 shall be used for the purposes of  
14 chapter 231E and section 231.56A, of which ~~\$144,333~~  
15 \$350,000 shall be used for the office of substitute  
16 decision maker pursuant to chapter 231E, and the  
17 remainder shall be distributed equally to the area  
18 agencies on aging to administer the prevention of elder  
19 abuse, neglect, and exploitation program pursuant to  
20 section 231.56A, in accordance with the requirements  
21 of the federal Older Americans Act of 1965, 42 U.S.C.  
22 §3001 et seq., as amended.

23 7. Of the funds appropriated in this section,  
24 \$1,000,000 shall be used to fund continuation of the  
25 aging and disability resource center lifelong links to  
26 provide individuals and caregivers with information and

27 services to plan for and maintain independence.

28 DIVISION II

29 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2016–2017

30 Sec. 2. 2015 Iowa Acts, chapter 137, section 122,

31 is amended to read as follows:

32 SEC. 122. OFFICE OF LONG-TERM CARE OMBUDSMAN.

33 1. There is appropriated from the general fund of  
34 the state to the office of long-term care ombudsman for  
35 the fiscal year beginning July 1, 2016, and ending June

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1 30, 2017, the following amount, or so much thereof as  
2 is necessary, to be used for the purposes designated:

3 For salaries, support, administration, maintenance,  
4 and miscellaneous purposes, and for not more than the  
5 following full-time equivalent positions:

6 .....	\$	<u>638,301</u>
7 .....		<u>1,626,783</u>
8 .....	FTEs	<u>17.00</u>
9 .....		<u>20.00</u>

10 2. Of the funds appropriated in this section,  
11 ~~\$110,000~~ \$220,000 shall be used to continue to provide  
12 for additional local long-term care ombudsmen.

13 3. Of the funds appropriated in this section,  
14 \$350,000 shall be used to provide additional long-term  
15 care ombudsmen to provide assistance and advocacy  
16 related to long-term care services and supports under  
17 the Medicaid program pursuant to section 231.44.

18 DIVISION III

19 DEPARTMENT OF PUBLIC HEALTH — FY 2016–2017

20 Sec. 3. 2015 Iowa Acts, chapter 137, section 123,

21 is amended to read as follows:

22 SEC. 123. DEPARTMENT OF PUBLIC HEALTH. There is  
23 appropriated from the general fund of the state to  
24 the department of public health for the fiscal year  
25 beginning July 1, 2016, and ending June 30, 2017, the  
26 following amounts, or so much thereof as is necessary,  
27 to be used for the purposes designated:

28 1. ADDICTIVE DISORDERS

29 For reducing the prevalence of the use of tobacco,  
30 alcohol, and other drugs, and treating individuals  
31 affected by addictive behaviors, including gambling,  
32 and for not more than the following full-time  
33 equivalent positions:

34 .....	\$	<u>13,631,845</u>
35 .....		<u>26,988,690</u>

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1 ..... FTEs 10.00

2 a. (1) Of the funds appropriated in this

3 subsection, ~~\$2,624,180~~ \$5,248,361 shall be used for

4 the tobacco use prevention and control initiative,

5 including efforts at the state and local levels, as

6 provided in chapter 142A. The commission on tobacco

7 use prevention and control established pursuant

8 to section 142A.3 shall advise the director of

9 public health in prioritizing funding needs and the

10 allocation of moneys appropriated for the programs

11 and initiatives. Activities of the programs and

12 initiatives shall be in alignment with the United

13 States centers for disease control and prevention

14 best practices for comprehensive tobacco control

15 programs that include the goals of preventing youth

16 initiation of tobacco usage, reducing exposure to

17 secondhand smoke, and promotion of tobacco cessation.

18 To maximize resources, the department shall determine

19 if third-party sources are available to instead provide

20 nicotine replacement products to an applicant prior to

21 provision of such products to an applicant under the

22 initiative. The department shall track and report to

23 the individuals specified in this Act, any reduction

24 in the provision of nicotine replacement products

25 realized by the initiative through implementation of

26 the prerequisite screening.

27 (2) (a) ~~Of the funds allocated in this paragraph~~

28 ~~“a”, \$226,533 is transferred to the~~ The department

29 shall collaborate with the alcoholic beverages division

30 of the department of commerce for enforcement of

31 tobacco laws, regulations, and ordinances and to engage

32 in tobacco control activities approved by the division

33 of tobacco use prevention and control of the department

34 of public health as specified in the memorandum of

35 understanding entered into between the divisions.

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1 (b) For the fiscal year beginning July 1, 2016, and

2 ending June 30, 2017, the terms of the memorandum of

3 understanding, entered into between the division of

4 tobacco use prevention and control of the department

5 of public health and the alcoholic beverages division

6 of the department of commerce, governing compliance

7 checks conducted to ensure licensed retail tobacco

8 outlet conformity with tobacco laws, regulations,

9 and ordinances relating to persons under ~~eighteen~~ 18

10 years of age, shall continue to restrict the number of

11 such checks to one check per retail outlet, and one

12 additional check for any retail outlet found to be in



13 violation during the first check.

14 b. Of the funds appropriated in this subsection,  
15 ~~\$11,007,664~~ ~~\$21,740,329~~ shall be used for problem  
16 gambling and substance-related disorder prevention,  
17 treatment, and recovery services, including a 24-hour  
18 helpline, public information resources, professional  
19 training, youth prevention, and program evaluation.

20 ~~(1) Of the funds allocated in this paragraph "b",~~  
21 ~~\$9,451,857 shall be used for substance related disorder~~  
22 ~~prevention and treatment.~~

23 ~~(a) Of the funds allocated in this subparagraph~~  
24 ~~(1), \$449,650 shall be used for the public purpose of~~  
25 ~~a grant program to provide substance related disorder~~  
26 ~~prevention programming for children.~~

27 ~~(i) Of the funds allocated in this subparagraph~~  
28 ~~division (a), \$213,769 shall be used for grant funding~~  
29 ~~for organizations that provide programming for~~  
30 ~~children by utilizing mentors. Programs approved for~~  
31 ~~such grants shall be certified or must be certified~~  
32 ~~within six months of receiving the grant award by the~~  
33 ~~Iowa commission on volunteer services as utilizing~~  
34 ~~the standards for effective practice for mentoring~~  
35 ~~programs.~~

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1 ~~(ii) Of the funds allocated in this subparagraph~~  
2 ~~division (a), \$213,419 shall be used for grant funding~~  
3 ~~for organizations providing programming that includes~~  
4 ~~youth development and leadership services. The~~  
5 ~~programs shall also be recognized as being programs~~  
6 ~~that are scientifically based with evidence of their~~  
7 ~~effectiveness in reducing substance related disorders~~  
8 ~~in children.~~

9 ~~(iii) The department of public health shall utilize~~  
10 ~~a request for proposals process to implement the grant~~  
11 ~~program.~~

12 ~~(iv) All grant recipients shall participate in a~~  
13 ~~program evaluation as a requirement for receiving grant~~  
14 ~~funds.~~

15 ~~(v) Of the funds allocated in this subparagraph~~  
16 ~~division (a), up to \$22,461 may be used to administer~~  
17 ~~substance related disorder prevention grants and for~~  
18 ~~program evaluations.~~

19 ~~(b) Of the funds allocated in this subparagraph~~  
20 ~~(1), \$136,301 shall be used for culturally competent~~  
21 ~~substance related disorder treatment pilot projects.~~

22 ~~(i) The department shall utilize the amount~~  
23 ~~allocated in this subparagraph division (b) for at~~  
24 ~~least three pilot projects to provide culturally~~  
25 ~~competent substance related disorder treatment in~~  
26 ~~various areas of the state. Each pilot project shall~~

27 ~~target a particular ethnic minority population. The~~  
28 ~~populations targeted shall include but are not limited~~  
29 ~~to African American, Asian, and Latino.~~  
30 (ii) ~~The pilot project requirements shall provide~~  
31 ~~for documentation or other means to ensure access~~  
32 ~~to the cultural competence approach used by a pilot~~  
33 ~~project so that such approach can be replicated and~~  
34 ~~improved upon in successor programs.~~  
35 (2) ~~Of the funds allocated in this paragraph "b",~~

Page 8

1 ~~up to \$1,555,807 may be used for problem gambling~~  
2 ~~prevention, treatment, and recovery services.~~  
3 (a) ~~Of the funds allocated in this subparagraph~~  
4 ~~(2), \$1,286,881 shall be used for problem gambling~~  
5 ~~prevention and treatment.~~  
6 (b) ~~Of the funds allocated in this subparagraph~~  
7 ~~(2), up to \$218,926 may be used for a 24 hour helpline,~~  
8 ~~public information resources, professional training,~~  
9 ~~and program evaluation.~~  
10 (c) ~~Of the funds allocated in this subparagraph~~  
11 ~~(2), up to \$50,000 may be used for the licensing of~~  
12 ~~problem gambling treatment programs.~~  
13 (3) ~~It is the intent of the general assembly that~~  
14 ~~from the moneys allocated in this paragraph "b",~~  
15 ~~persons with a dual diagnosis of substance related~~  
16 ~~disorder and gambling addiction shall be given priority~~  
17 ~~in treatment services.~~  
18 e. ~~Notwithstanding any provision of law to the~~  
19 ~~contrary, to standardize the availability, delivery,~~  
20 ~~cost of delivery, and accountability of problem~~  
21 ~~gambling and substance related disorder treatment~~  
22 ~~services statewide, the department shall continue~~  
23 ~~implementation of a process to create a system for~~  
24 ~~delivery of treatment services in accordance with the~~  
25 ~~requirements specified in 2008 Iowa Acts, chapter~~  
26 ~~1187, section 3, subsection 4. To ensure the system~~  
27 ~~provides a continuum of treatment services that best~~  
28 ~~meets the needs of Iowans, the problem gambling and~~  
29 ~~substance related disorder treatment services in any~~  
30 ~~area may be provided either by a single agency or by~~  
31 ~~separate agencies submitting a joint proposal.~~  
32 (1) ~~The system for delivery of substance related~~  
33 ~~disorder and problem gambling treatment shall include~~  
34 ~~problem gambling prevention.~~  
35 (2) ~~The system for delivery of substance related~~

1 ~~disorder and problem gambling treatment shall include~~  
2 ~~substance related disorder prevention by July 1, 2017.~~

3 ~~(3) Of the funds allocated in paragraph "b", the~~  
4 ~~department may use up to \$50,000 for administrative~~  
5 ~~costs to continue developing and implementing the~~  
6 ~~process in accordance with this paragraph "c".~~

7 d. The requirement of section ~~123.53~~ 123.17,  
8 subsection 5, is met by the appropriations and  
9 allocations made in this division of this Act for  
10 purposes of substance-related disorder treatment and  
11 addictive disorders for the fiscal year beginning July  
12 1, 2016.

13 e. ~~The department of public health shall work with~~  
14 ~~all other departments that fund substance related~~  
15 ~~disorder prevention and treatment services and all~~  
16 ~~such departments shall, to the extent necessary,~~  
17 ~~collectively meet the state maintenance of effort~~  
18 ~~requirements for expenditures for substance related~~  
19 ~~disorder services as required under the federal~~  
20 ~~substance related disorder prevention and treatment~~  
21 ~~block grant.~~

22 2. HEALTHY CHILDREN AND FAMILIES

23 For promoting the optimum health status for  
24 children, adolescents from birth through 21 years of  
25 age, and families, and for not more than the following  
26 full-time equivalent positions:

27 .....	\$	<u>2,308,771</u>
28 .....		<u>5,593,774</u>
29 .....	FTEs	12.00

30 a. Of the funds appropriated in this subsection,  
31 not more than ~~\$367,420~~ \$734,841 shall be used for the  
32 healthy opportunities for parents to experience success  
33 (HOPES)-healthy families Iowa (HFI) program established  
34 pursuant to section 135.106. The funding shall be  
35 distributed to renew the grants that were provided

1 to the grantees that operated the program during the  
2 fiscal year ending June 30, 2016.

3 b. In order to implement the legislative intent  
4 stated in sections 135.106 and 256I.9, that priority  
5 for home visitation program funding be given to  
6 programs using evidence-based or promising models  
7 for home visitation, it is the intent of the general  
8 assembly to phase in the funding priority in accordance  
9 with 2012 Iowa Acts, chapter 1133, section 2,  
10 subsection 2, paragraph "0b".

11 c. Of the funds appropriated in this subsection,  
12 ~~\$1,000,414~~ \$3,175,059 shall be used for continuation

13 of the department's initiative to provide for adequate  
14 developmental surveillance and screening during a  
15 child's first five years. The funds shall be used  
16 first to fully fund the current sites to ensure  
17 that the sites are fully operational, with the  
18 remaining funds to be used for expansion to additional  
19 sites. The full implementation and expansion shall  
20 include enhancing the scope of the program through  
21 collaboration with the child health specialty clinics  
22 to promote healthy child development through early  
23 identification and response to both biomedical  
24 and social determinants of healthy development; by  
25 monitoring child health metrics to inform practice,  
26 document long-term health impacts and savings, and  
27 provide for continuous improvement through training,  
28 education, and evaluation; and by providing for  
29 practitioner consultation particularly for children  
30 with behavioral conditions and needs. The department  
31 of public health shall also collaborate with the Iowa  
32 Medicaid enterprise and the child health specialty  
33 clinics to integrate the activities of the first five  
34 initiative into the establishment of patient-centered  
35 medical homes, community utilities, accountable

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1 care organizations, and other integrated care models  
2 developed to improve health quality and population  
3 health while reducing health care costs. To the  
4 maximum extent possible, funding allocated in this  
5 paragraph shall be utilized as matching funds for  
6 medical assistance program reimbursement.  
7 d. Of the funds appropriated in this subsection,  
8 ~~\$37,320~~ \$74,640 shall be distributed to a statewide  
9 dental carrier to provide funds to continue the donated  
10 dental services program patterned after the projects  
11 developed by the lifeline network to provide dental  
12 services to indigent individuals who are elderly or  
13 with disabilities.  
14 e. Of the funds appropriated in this subsection,  
15 ~~\$55,997~~ \$111,995 shall be used for childhood obesity  
16 prevention.  
17 f. Of the funds appropriated in this subsection,  
18 ~~\$81,384~~ \$162,768 shall be used to provide audiological  
19 services and hearing aids for children. The department  
20 may enter into a contract to administer this paragraph.  
21 g. Of the funds appropriated in this subsection,  
22 ~~\$12,500~~ \$25,000 is transferred to the university of  
23 Iowa college of dentistry for provision of primary  
24 dental services to children. State funds shall be  
25 matched on a dollar-for-dollar basis. The university  
26 of Iowa college of dentistry shall coordinate efforts

27 with the department of public health, bureau of oral  
 28 and health delivery systems, to provide dental care to  
 29 underserved populations throughout the state.  
 30 h. Of the funds appropriated in this subsection,  
 31 ~~\$25,000~~ \$50,000 shall be used to address youth suicide  
 32 prevention.  
 33 i. Of the funds appropriated in this subsection,  
 34 ~~\$25,000~~ \$50,000 shall be used to support the Iowa  
 35 effort to address the survey of children who experience

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1 adverse childhood experiences known as ACEs.  
 2 j. The department of public health shall continue  
 3 to administer the program to assist parents in this  
 4 state with costs resulting from the death of a child  
 5 in accordance with the provisions of 2014 Iowa Acts,  
 6 chapter 1140, section 22, subsection 12.

7 3. CHRONIC CONDITIONS

8 For serving individuals identified as having chronic  
 9 conditions or special health care needs, and for not  
 10 more than the following full-time equivalent positions:

11 .....	\$	<u>2,477,846</u>
12 .....		<u>5,080,692</u>
13 .....	FTEs	5.00

14 a. Of the funds appropriated in this subsection,  
 15 ~~\$70,066~~ \$159,932 shall be used for grants to individual  
 16 patients who have an inherited metabolic disorder to  
 17 assist with the costs of medically necessary foods and  
 18 formula.

19 b. Of the funds appropriated in this subsection,  
 20 ~~\$445,822~~ \$1,041,644 shall be used for the brain  
 21 injury services program pursuant to section 135.22B,  
 22 including for continuation of the contracts for  
 23 resource facilitator services in accordance with  
 24 section 135.22B, subsection 9, and to enhance brain  
 25 injury training and recruitment of service providers  
 26 on a statewide basis. Of the amount allocated in this  
 27 paragraph, ~~\$47,500~~ \$95,000 shall be used to fund one  
 28 full-time equivalent position to serve as the state  
 29 brain injury services program manager.

30 c. Of the funds appropriated in this subsection,  
 31 ~~\$273,091~~ \$547,982 shall be used as additional funding  
 32 to leverage federal funding through the federal Ryan  
 33 White Care Act, Tit. II, AIDS drug assistance program  
 34 supplemental drug treatment grants.

35 d. Of the funds appropriated in this subsection,

Page 13

1 ~~\$74,911~~ \$149,823 shall be used for the public  
 2 purpose of continuing to contract with an existing  
 3 national-affiliated organization to provide education,  
 4 client-centered programs, and client and family support  
 5 for people living with epilepsy and their families.  
 6 The amount allocated in this paragraph in excess of  
 7 ~~\$50,000~~ \$100,000 shall be matched dollar-for-dollar by  
 8 the organization specified.

9 e. Of the funds appropriated in this subsection,  
 10 ~~\$292,557~~ \$785,114 shall be used for child health  
 11 specialty clinics.

12 f. Of the funds appropriated in this subsection,  
 13 ~~\$200,000~~ \$400,000 shall be used by the regional  
 14 autism assistance program established pursuant to  
 15 section 256.35, and administered by the child health  
 16 specialty clinic located at the university of Iowa  
 17 hospitals and clinics. The funds shall be used to  
 18 enhance interagency collaboration and coordination of  
 19 educational, medical, and other human services for  
 20 persons with autism, their families, and providers of  
 21 services, including delivering regionalized services of  
 22 care coordination, family navigation, and integration  
 23 of services through the statewide system of regional  
 24 child health specialty clinics and fulfilling other  
 25 requirements as specified in chapter 225D. The  
 26 university of Iowa shall not receive funds allocated  
 27 under this paragraph for indirect costs associated with  
 28 the regional autism assistance program.

29 g. Of the funds appropriated in this subsection,  
 30 ~~\$285,496~~ \$594,543 shall be used for the comprehensive  
 31 cancer control program to reduce the burden of cancer  
 32 in Iowa through prevention, early detection, effective  
 33 treatment, and ensuring quality of life. Of the funds  
 34 allocated in this paragraph "g", ~~\$75,000~~ \$150,000  
 35 shall be used to support a melanoma research symposium,

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1 a melanoma biorepository and registry, basic and  
 2 translational melanoma research, and clinical trials.

3 h. Of the funds appropriated in this subsection,  
 4 ~~\$63,225~~ \$101,450 shall be used for cervical and colon  
 5 cancer screening, and ~~\$150,000~~ \$300,000 shall be  
 6 used to enhance the capacity of the cervical cancer  
 7 screening program to include provision of recommended  
 8 prevention and early detection measures to a broader  
 9 range of low-income women.

10 i. Of the funds appropriated in this subsection,  
 11 ~~\$263,347~~ \$526,695 shall be used for the center for  
 12 congenital and inherited disorders.

13 j. Of the funds appropriated in this subsection,  
 14 ~~\$64,705~~ \$129,411 shall be used for the prescription  
 15 drug donation repository program created in chapter  
 16 135M.

17 k. Of the funds appropriated in this subsection,  
 18 ~~\$107,631~~ \$215,263 shall be used by the department of  
 19 public health for reform-related activities, including  
 20 but not limited to facilitation of communication  
 21 to stakeholders at the state and local level,  
 22 administering the patient-centered health advisory  
 23 council pursuant to section 135.159, and involvement  
 24 in health care system innovation activities occurring  
 25 across the state.

26 l. Of the funds appropriated in this subsection,  
 27 ~~\$12,500~~ \$25,000 shall be used for administration of  
 28 chapter 124D, the medical cannabidiol Act.

29 4. COMMUNITY CAPACITY

30 For strengthening the health care delivery system at  
 31 the local level, and for not more than the following  
 32 full-time equivalent positions:

33 .....	\$	4,410,667
34 .....		<u>7,339,136</u>
35 .....	FTEs	<u>11.00</u>

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1 13.00

2 a. Of the funds appropriated in this subsection,  
 3 ~~\$49,707~~ \$99,414 is allocated for continuation of a  
 4 child vision screening program implemented through  
 5 the university of Iowa hospitals and clinics in  
 6 collaboration with early childhood Iowa areas. The  
 7 program shall submit a report to the individuals  
 8 identified in this Act for submission of reports  
 9 regarding the use of funds allocated under this  
 10 paragraph "a". The report shall include the objectives  
 11 and results for the program year including the target  
 12 population and how the funds allocated assisted the  
 13 program in meeting the objectives; the number, age, and  
 14 location within the state of individuals served; the  
 15 type of services provided to the individuals served;  
 16 the distribution of funds based on service provided;  
 17 and the continuing needs of the program.

18 b. Of the funds appropriated in this subsection,  
 19 ~~\$55,328~~ \$110,656 is allocated for continuation of an  
 20 initiative implemented at the university of Iowa and  
 21 ~~\$49,952~~ \$99,904 is allocated for continuation of an  
 22 initiative at the state mental health institute at  
 23 Cherokee to expand and improve the workforce engaged in  
 24 mental health treatment and services. The initiatives  
 25 shall receive input from the university of Iowa, the  
 26 department of human services, the department of public

27 health, and the mental health and disability services  
 28 commission to address the focus of the initiatives.  
 29 c. Of the funds appropriated in this subsection,  
 30 ~~\$582,314~~ \$1,164,628 shall be used for essential public  
 31 health services that promote healthy aging throughout  
 32 one's lifespan, contracted through a formula for local  
 33 boards of health, to enhance health promotion and  
 34 disease prevention services.  
 35 d. Of the funds appropriated in this ~~section~~

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1 ~~subsection, \$49,643~~ \$99,286 shall be deposited in the  
 2 governmental public health system fund created in  
 3 section 135A.8 to be used for the purposes of the fund.  
 4 ~~e. Of the funds appropriated in this subsection,~~  
 5 ~~\$52,724 shall be used to continue to address the~~  
 6 ~~shortage of mental health professionals in the state.~~  
 7 f. Of the funds appropriated in this subsection,  
 8 ~~\$25,000~~ \$50,000 shall be used for a grant to a  
 9 statewide association of psychologists that is  
 10 affiliated with the American psychological association  
 11 to be used for continuation of a program to rotate  
 12 intern psychologists in placements in urban and rural  
 13 mental health professional shortage areas, as defined  
 14 in section 135.180.

15 g. (1) Of the funds appropriated in this  
 16 subsection, ~~\$1,441,484~~ \$1,210,770 shall be allocated  
 17 as a grant to the Iowa primary care association to  
 18 be used pursuant to section 135.153 for the statewide  
 19 coordination of the Iowa collaborative safety net  
 20 provider network. Coordination of the network shall  
 21 focus on increasing access by underserved populations  
 22 to health care services, increasing integration of the  
 23 health system and collaboration across the continuum of  
 24 care with a focus on safety net services, and enhancing  
 25 the Iowa collaborative safety net provider network's  
 26 communication and education efforts. The amount  
 27 allocated as a grant under this subparagraph (1) shall  
 28 be used as follows to support the Iowa collaborative  
 29 safety net provider network goals of increased access,  
 30 health system integration, and engagement:

31 (a) For distribution to safety net partners in the  
 32 state that work to increase access of the underserved  
 33 population to health services:

34 .....	\$	<u>512,742</u>
35		<u>1,025,485</u>



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1 (i) Of the amount allocated in this subparagraph  
2 division (a), ~~up to~~ not less than \$206,707 ~~\$413,415~~  
3 shall be distributed to the Iowa prescription drug  
4 corporation for continuation of the pharmaceutical  
5 infrastructure for safety net providers as described in  
6 2007 Iowa Acts, chapter 218, section 108.

7 (ii) Of the amount allocated in this subparagraph  
8 division (a), ~~up to~~ not less than \$174,161 ~~\$348,322~~  
9 shall be distributed to free clinics and free clinics  
10 of Iowa for necessary infrastructure, statewide  
11 coordination, provider recruitment, service delivery,  
12 and provision of assistance to patients in securing a  
13 medical home inclusive of oral health care.

14 (iii) Of the amount allocated in this subparagraph  
15 division (a), ~~up to~~ not less than \$25,000 ~~\$50,000~~  
16 shall be distributed to the Iowa coalition against  
17 sexual assault to continue a training program for  
18 sexual assault response team (SART) members, including  
19 representatives of law enforcement, victim advocates,  
20 prosecutors, and certified medical personnel.

21 (iv) Of the amount allocated in this subparagraph  
22 division (a), ~~up to~~ not less than \$106,874 ~~\$213,748~~  
23 shall be distributed to the Polk county medical  
24 society for continuation of the safety net provider  
25 patient access to a specialty health care initiative as  
26 described in 2007 Iowa Acts, chapter 218, section 109.

27 (c) For distribution to safety net partners in the  
28 state that work to serve as a resource for credible,  
29 accurate information on health care-related needs  
30 and services for vulnerable populations in the state  
31 including the Iowa association of rural health clinics  
32 for necessary infrastructure and service delivery  
33 transformation and the Iowa primary care association  
34 to support partner engagement, program management, and  
35 statewide coordination of the network:

Page 18

1 ..... \$ 92,642  
2 185,285

3 (2) The amount allocated under this paragraph  
4 “g” shall not be reduced for administrative or other  
5 costs prior to distribution. The Iowa collaborative  
6 safety net provider network may continue to distribute  
7 funds allocated pursuant to this paragraph “g” through  
8 existing contracts or renewal of existing contracts.

9 (3) For each goal of the Iowa collaborative safety  
10 net provider network, the Iowa primary care association  
11 shall submit a progress report to the individuals  
12 designated in this Act for submission of reports by

13 December 15, 2016, including progress in developing  
 14 and implementing the network, how the funds were  
 15 distributed and used in developing and implementing the  
 16 network, and the remaining needs identified to fully  
 17 develop and implement the network.

18 h. Of the funds appropriated in this subsection,  
 19 ~~\$106,700~~ \$213,400 shall be used for continuation of  
 20 the work of the direct care worker advisory council  
 21 established pursuant to 2008 Iowa Acts, chapter 1188,  
 22 section 69, in implementing the recommendations in  
 23 the final report submitted by the advisory council to  
 24 the governor and the general assembly in March 2012,  
 25 including by continuing to develop, promote, and make  
 26 available on a statewide basis the prepare-to-care core  
 27 curriculum and its associated modules and specialties  
 28 through various formats including online access,  
 29 community colleges, and other venues; exploring  
 30 new and maintaining existing specialties including  
 31 but not limited to oral health and dementia care;  
 32 supporting instructor training; and assessing and  
 33 making recommendations concerning the Iowa care book  
 34 and information technology systems and infrastructure  
 35 uses and needs.

Page 19

1 i. (1) Of the funds appropriated in this  
 2 subsection, ~~\$108,187~~ \$216,375 shall be ~~used for~~  
 3 ~~allocation to~~ allocated for continuation of the  
 4 contract with an independent statewide direct care  
 5 worker organization previously selected through a  
 6 request for proposals process. The contract shall  
 7 continue to include performance and outcomes measures,  
 8 and shall continue to allow the contractor to use  
 9 a portion of the funds received under the contract  
 10 to collect data to determine results based on the  
 11 performance and outcomes measures.

12 (2) Of the funds appropriated in this subsection,  
 13 ~~\$37,500~~ \$75,000 shall be used to provide scholarships  
 14 or other forms of subsidization for direct care  
 15 worker educational conferences, training, or outreach  
 16 activities.

17 j. Of the funds appropriated in this subsection,  
 18 the department may use up to ~~\$29,087~~ \$58,175 for up to  
 19 one full-time equivalent position to administer the  
 20 volunteer health care provider program pursuant to  
 21 section 135.24.

22 k. Of the funds appropriated in this subsection,  
 23 ~~\$50,000~~ \$100,000 shall be used for a matching dental  
 24 education loan repayment program to be allocated  
 25 to a dental nonprofit health service corporation to  
 26 continue to develop the criteria and implement the loan

27 repayment program.

28 1. Of the funds appropriated in this subsection,  
29 ~~\$52,911~~ \$105,823 is transferred to the college student  
30 aid commission for deposit in the rural Iowa primary  
31 care trust fund created in section 261.113 to be used  
32 for the purposes of the fund.

33 m. Of the funds appropriated in this subsection,  
34 ~~\$125,000~~ \$250,000 shall be used for the purposes of the  
35 Iowa donor registry as specified in section 142C.18.

Page 20

1 n. Of the funds appropriated in this subsection,  
2 ~~\$50,000~~ \$100,000 shall be used for continuation of  
3 a grant to a nationally affiliated volunteer eye  
4 organization that has an established program for  
5 children and adults and that is solely dedicated to  
6 preserving sight and preventing blindness through  
7 education, nationally certified vision screening and  
8 training, and community and patient service programs.  
9 The organization shall submit a report to the  
10 individuals identified in this Act for submission of  
11 reports regarding the use of funds allocated under this  
12 paragraph "n". The report shall include the objectives  
13 and results for the program year including the target  
14 population and how the funds allocated assisted the  
15 program in meeting the objectives; the number, age, and  
16 location within the state of individuals served; the  
17 type of services provided to the individuals served;  
18 the distribution of funds based on services provided;  
19 and the continuing needs of the program.

20 o. Of the funds appropriated in this subsection,  
21 ~~\$1,000,000~~ \$2,000,000 shall be deposited in the medical  
22 residency training account created in section 135.175,  
23 subsection 5, paragraph "a", and is appropriated from  
24 the account to the department of public health to be  
25 used for the purposes of the medical residency training  
26 state matching grants program as specified in section  
27 135.176. However, notwithstanding any provision to the  
28 contrary in section 135.176, priority in the awarding  
29 of grants for the fiscal year beginning July 1, 2016,  
30 shall be given to sponsors approved but not funded in  
31 the prior fiscal year competitive procurement process  
32 that proposed preference in the use of the grant funds  
33 for internal medicine positions, and priority in the  
34 awarding of the remaining moneys shall be given to  
35 sponsors that propose preference in the use of the

1 grant funds for psychiatric residency positions and  
 2 family practice residency positions.  
 3 p. Of the funds appropriated in this subsection,  
 4 ~~\$78,309~~ \$156,619 is allocated to the university of  
 5 Iowa hospitals and clinics to continue a systematic  
 6 and evidence-based practice collaborative care model  
 7 to improve outcomes of mental health treatment in  
 8 primary care settings in the state. Funds shall be  
 9 used to establish the collaborative care model in  
 10 several primary care practices in rural and urban areas  
 11 throughout the state, to provide staffing to administer  
 12 the model, and to provide staff training and database  
 13 management to track and manage patient outcomes.

14 q. Of the funds appropriated in this subsection,  
 15 \$100,000 shall be used by the department of public  
 16 health to develop recommendations to be submitted in  
 17 a report by December 15, 2016, as otherwise described  
 18 in this division of this Act, including those for  
 19 a broader, more systematic and strategic workforce  
 20 initiative, which may include a comprehensive study of  
 21 workforce program needs and the establishment of an  
 22 advisory workgroup.

23 5. HEALTHY AGING

24 To provide public health services that reduce risks  
 25 and invest in promoting and protecting good health over  
 26 the course of a lifetime with a priority given to older  
 27 Iowans and vulnerable populations:

28 .....	\$	<u>3,648,571</u>
29 .....		<u>7,297,142</u>

30 6. INFECTIOUS DISEASES

31 For reducing the incidence and prevalence of  
 32 communicable diseases, and for not more than the  
 33 following full-time equivalent positions:

34 .....	\$	<u>667,577</u>
35 .....		<u>1,335,155</u>

1 .....	FTEs	4.00
---------	------	------

2 7. PUBLIC PROTECTION

3 For protecting the health and safety of the  
 4 public through establishing standards and enforcing  
 5 regulations, and for not more than the following  
 6 full-time equivalent positions:

7 .....	\$	<u>2,169,595</u>
8 .....		<u>4,399,191</u>
9 .....	FTEs	<u>136.00</u>
10 .....		<u>137.00</u>

11 a. Of the funds appropriated in this subsection,  
 12 not more than ~~\$227,350~~ \$454,700 shall be credited to

13 the emergency medical services fund created in section  
14 135.25. Moneys in the emergency medical services fund  
15 are appropriated to the department to be used for the  
16 purposes of the fund.

17 b. Of the funds appropriated in this subsection,  
18 ~~\$101,516~~ \$203,032 shall be used for sexual violence  
19 prevention programming through a statewide organization  
20 representing programs serving victims of sexual  
21 violence through the department's sexual violence  
22 prevention program. The amount allocated in this  
23 paragraph "b" shall not be used to supplant funding  
24 administered for other sexual violence prevention or  
25 victims assistance programs.

26 c. Of the funds appropriated in this subsection,  
27 ~~\$200,375~~ \$598,751 shall be used for the state poison  
28 control center. Pursuant to the directive under 2014  
29 Iowa Acts, chapter 1140, section 102, the federal  
30 matching funds available to the state poison control  
31 center from the department of human services under  
32 the federal Children's Health Insurance Program  
33 Reauthorization Act allotment shall be subject to  
34 the federal administrative cap rule of 10 percent  
35 applicable to funding provided under Tit. XXI of the

Page 23

1 federal Social Security Act and included within the  
2 department's calculations of the cap.

3 d. Of the funds appropriated in this subsection,  
4 ~~\$268,875~~ \$537,750 shall be used for childhood lead  
5 poisoning provisions.

6 8. RESOURCE MANAGEMENT

7 For establishing and sustaining the overall  
8 ability of the department to deliver services to the  
9 public, and for not more than the following full-time  
10 equivalent positions:

11 .....	\$	<u>427,536</u>
12 .....		<u>1,005,072</u>
13 .....	FTEs	4.00

14 9. MISCELLANEOUS PROVISIONS

15 a. The university of Iowa hospitals and clinics  
16 under the control of the state board of regents shall  
17 not receive indirect costs from the funds appropriated  
18 in this section. The university of Iowa hospitals and  
19 clinics billings to the department shall be on at least  
20 a quarterly basis.

21 b. The department of public health shall conduct a  
22 sampling of the entities to which appropriated funds  
23 are allocated, granted, or otherwise distributed under  
24 this section and shall require such entities to submit  
25 a progress report to the department by September 1,  
26 2016, which includes the objectives and results of the

27 program since the initial receipt of state funding and  
 28 how the funds are assisting the program in meeting the  
 29 objectives, specifying the target population served  
 30 and the type of services provided, and identifying  
 31 the continuing needs of the recipient entity and the  
 32 service population. The department shall review the  
 33 information reported and shall make recommendations to  
 34 the governor and the general assembly by December 15,  
 35 2016, to realign, bundle, or otherwise redistribute

Page 24

1 funding to meet the needs identified and improve  
 2 services during the subsequent fiscal year.  
 3 c. The department of public health shall submit a  
 4 report to the individuals identified in this Act for  
 5 submission of reports by December 15, 2016, regarding  
 6 a proposal for realigning, bundling, redistributing,  
 7 or otherwise adjusting the department's funding  
 8 streams to reflect the department's priorities and  
 9 goals and to provide increased flexibility in the  
 10 distribution of funding to meet these priorities  
 11 and goals. The proposal shall specifically include  
 12 recommendations for a broader, more systematic and  
 13 strategic workforce initiative which may include a  
 14 comprehensive study of workforce program needs and the  
 15 establishment of an advisory workgroup. The proposal  
 16 shall also specifically include strategies, developed  
 17 in collaboration with the department of education, to  
 18 encourage elementary and secondary education students  
 19 to pursue careers in the fields of health and health  
 20 care.

DIVISION IV

DEPARTMENT OF VETERANS AFFAIRS — FY 2016–2017

22 Sec. 4. 2015 Iowa Acts, chapter 137, section 124,  
 23 is amended to read as follows:

24 SEC. 124. DEPARTMENT OF VETERANS AFFAIRS. There  
 25 is appropriated from the general fund of the state to  
 26 the department of veterans affairs for the fiscal year  
 27 beginning July 1, 2016, and ending June 30, 2017, the  
 28 following amounts, or so much thereof as is necessary,  
 29 to be used for the purposes designated:

30 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

31 For salaries, support, maintenance, and  
 32 miscellaneous purposes, and for not more than the  
 33 following full-time equivalent positions:

34 ..... \$  
 35 ..... \$ 600,273

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1		<u>1,200,546</u>
2	..... FTEs	15.00
3	2. IOWA VETERANS HOME	
4	For salaries, support, maintenance, and	
5	miscellaneous purposes:	
6	..... \$	<u>3,797,498</u>
7		<u>7,594,996</u>
8	a. The Iowa veterans home billings involving the	
9	department of human services shall be submitted to the	
10	department on at least a monthly basis.	
11	c. Within available resources and in conformance	
12	with associated state and federal program eligibility	
13	requirements, the Iowa veterans home may implement	
14	measures to provide financial assistance to or	
15	on behalf of veterans or their spouses who are	
16	participating in the community reentry program.	
17	e. <u>The Iowa veterans home shall expand the annual</u>	
18	<u>discharge report to also include applicant information</u>	
19	<u>and to provide for the collection of demographic</u>	
20	<u>information including but not limited to the number</u>	
21	<u>of individuals applying for admission and admitted or</u>	
22	<u>denied admittance and the basis for the admission or</u>	
23	<u>denial; the age, gender, and race of such individuals;</u>	
24	<u>and the level of care for which such individuals</u>	
25	<u>applied for admission including residential or nursing</u>	
26	<u>level of care.</u>	
27	3. HOME OWNERSHIP ASSISTANCE PROGRAM	
28	For transfer to the Iowa finance authority for the	
29	continuation of the home ownership assistance program	
30	for persons who are or were eligible members of the	
31	armed forces of the United States, pursuant to section	
32	16.54:	
33	..... \$	<u>1,250,000</u>
34		<u>2,500,000</u>
35	Sec. 5. 2015 Iowa Acts, chapter 137, section 125,	

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1	is amended to read as follows:	
2	SEC. 125. LIMITATION OF COUNTY	
3	COMMISSIONS OF VETERAN AFFAIRS FUND STANDING	
4	APPROPRIATIONS. Notwithstanding the standing	
5	appropriation in section 35A.16 for the fiscal year	
6	beginning July 1, 2016, and ending June 30, 2017, the	
7	amount appropriated from the general fund of the state	
8	pursuant to that section for the following designated	
9	purposes shall not exceed the following amount:	
10	For the county commissions of veteran affairs fund	
11	under section 35A.16:	
12	..... \$	<u>495,000</u>

13 990,000  
14 DIVISION V  
15 DEPARTMENT OF HUMAN SERVICES — FY 2016–2017  
16 Sec. 6. 2015 Iowa Acts, chapter 137, section 126,  
17 is amended to read as follows:  
18 SEC. 126. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES  
19 BLOCK GRANT. There is appropriated from the fund  
20 created in section 8.41 to the department of human  
21 services for the fiscal year beginning July 1, 2016,  
22 and ending June 30, 2017, from moneys received under  
23 the federal temporary assistance for needy families  
24 (TANF) block grant pursuant to the federal Personal  
25 Responsibility and Work Opportunity Reconciliation  
26 Act of 1996, Pub. L. No. 104-193, and successor  
27 legislation, the following amounts, or so much  
28 thereof as is necessary, to be used for the purposes  
29 designated:  
30 1. To be credited to the family investment program  
31 account and used for assistance under the family  
32 investment program under chapter 239B:  
33 ..... \$ 2,568,497  
34 5,112,462  
35 2. To be credited to the family investment program

Page 27

1 account and used for the job opportunities and  
2 basic skills (JOBS) program and implementing family  
3 investment agreements in accordance with chapter 239B:  
4 ..... \$ 5,069,080  
5 5,575,693  
6 3. To be used for the family development and  
7 self-sufficiency grant program in accordance with  
8 section 216A.107:  
9 ..... \$ 1,449,490  
10 2,898,980  
11 Notwithstanding section 8.33, moneys appropriated in  
12 this subsection that remain unencumbered or unobligated  
13 at the close of the fiscal year shall not revert but  
14 shall remain available for expenditure for the purposes  
15 designated until the close of the succeeding fiscal  
16 year. However, unless such moneys are encumbered or  
17 obligated on or before September 30, ~~2016~~ 2017, the  
18 moneys shall revert.  
19 4. For field operations:  
20 ..... \$ 15,648,116  
21 35,774,331  
22 5. For general administration:  
23 ..... \$ 1,872,000  
24 3,744,000  
25 6. For state child care assistance:  
26 ..... \$ 17,523,555



27 46,866.826  
 28 a. Of the funds appropriated in this subsection,  
 29 ~~\$13,164,048~~ ~~\$26,328,097~~ is transferred to the child  
 30 care and development block grant appropriation made  
 31 by the Eighty-sixth General Assembly, 2016 Session,  
 32 for the federal fiscal year beginning October 1,  
 33 2016, and ending September 30, 2017. Of this amount,  
 34 ~~\$100,000~~ ~~\$200,000~~ shall be used for provision of  
 35 educational opportunities to registered child care

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1 home providers in order to improve services and  
 2 programs offered by this category of providers and  
 3 to increase the number of providers. The department  
 4 may contract with institutions of higher education or  
 5 child care resource and referral centers to provide the  
 6 educational opportunities. Allowable administrative  
 7 costs under the contracts shall not exceed 5 percent.  
 8 The application for a grant shall not exceed two pages  
 9 in length.

10 b. Any funds appropriated in this subsection  
 11 remaining unallocated shall be used for state child  
 12 care assistance payments for families who are employed  
 13 including but not limited to individuals enrolled in  
 14 the family investment program.

15 ~~7. For distribution to counties and regions through~~  
 16 ~~the property tax relief fund for mental health and~~  
 17 ~~disability services as provided in an appropriation~~  
 18 ~~made for this purpose:~~

19	\$	2,447,026
20		
21	\$	<u>16,042,215</u>
22		<u>36,256,580</u>
23		
24	\$	<u>62,500</u>
25		<u>125,000</u>
26		
27		
28	\$	<u>965,033</u>
29		<u>1,930,067</u>

30 Pregnancy prevention grants shall be awarded to  
 31 programs in existence on or before July 1, 2016, if the  
 32 programs have demonstrated positive outcomes. Grants  
 33 shall be awarded to pregnancy prevention programs  
 34 which are developed after July 1, 2016, if the programs  
 35 are based on existing models that have demonstrated

Page 29

1 positive outcomes. Grants shall comply with the  
 2 requirements provided in 1997 Iowa Acts, chapter  
 3 208, section 14, subsections 1 and 2, including the  
 4 requirement that grant programs must emphasize sexual  
 5 abstinence. Priority in the awarding of grants shall  
 6 be given to programs that serve areas of the state  
 7 which demonstrate the highest percentage of unplanned  
 8 pregnancies of females of childbearing age within the  
 9 geographic area to be served by the grant.

10 11. For technology needs and other resources  
 11 necessary to meet federal welfare reform reporting,  
 12 tracking, and case management requirements:  
 13 ..... \$ 518,593  
 14 1,037,186

15 12. For the family investment program share of  
 16 the costs to continue to develop and maintain a new,  
 17 integrated eligibility determination system:  
 18 ..... \$ 3,327,440  
 19 6,654,880

20 13. a. Notwithstanding any provision to the  
 21 contrary, including but not limited to requirements  
 22 in section 8.41 or provisions in 2015 or 2016 Iowa  
 23 Acts regarding the receipt and appropriation of  
 24 federal block grants, federal funds from the temporary  
 25 assistance for needy families block grant received  
 26 by the state and not otherwise appropriated in this  
 27 section and remaining available for the fiscal year  
 28 beginning July 1, 2016, are appropriated to the  
 29 department of human services to the extent as may  
 30 be necessary to be used in the following priority  
 31 order: the family investment program, for state child  
 32 care assistance program payments for families who are  
 33 employed, and for the family investment program share  
 34 of costs to develop and maintain a new, integrated  
 35 eligibility determination system. The federal funds

Page 30

1 appropriated in this paragraph "a" shall be expended  
 2 only after all other funds appropriated in subsection  
 3 1 for the assistance under the family investment  
 4 program, in subsection 6 for child care assistance,  
 5 or in subsection 12 for the family investment program  
 6 share of the costs to continue to develop and  
 7 maintain a new, integrated eligibility determination  
 8 system, as applicable, have been expended. For the  
 9 purposes of this subsection, the funds appropriated  
 10 in subsection 6, paragraph "a", for transfer to the  
 11 child care and development block grant appropriation  
 12 are considered fully expended when the full amount has

13 been transferred.

14 b. The department shall, on a quarterly basis,  
15 advise the legislative services agency and department  
16 of management of the amount of funds appropriated in  
17 this subsection that was expended in the prior quarter.

18 14. Of the amounts appropriated in this section,  
19 ~~\$6,481,004~~ \$12,962,008 for the fiscal year beginning  
20 July 1, 2016, is transferred to the appropriation of  
21 the federal social services block grant made to the  
22 department of human services for that fiscal year.

23 15. For continuation of the program providing  
24 categorical eligibility for the food assistance program  
25 as specified for the program in the section of this  
26 division of this 2016 Act relating to the family  
27 investment program account:

28 .....	\$	<u>12,500</u>
29		<u>25,000</u>

30 16. The department may transfer funds allocated  
31 in this section to the appropriations made in this  
32 division of this Act for the same fiscal year for  
33 general administration and field operations for  
34 resources necessary to implement and operate the  
35 services referred to in this section and those funded

Page 31

1 in the appropriation made in this division of this Act  
2 for the same fiscal year for the family investment  
3 program from the general fund of the state.

4 Sec. 7. 2015 Iowa Acts, chapter 137, section 127,  
5 is amended to read as follows:

6 SEC. 127. FAMILY INVESTMENT PROGRAM ACCOUNT.

7 1. Moneys credited to the family investment program  
8 (FIP) account for the fiscal year beginning July  
9 1, 2016, and ending June 30, 2017, shall be used to  
10 provide assistance in accordance with chapter 239B.

11 2. The department may use a portion of the moneys  
12 credited to the FIP account under this section as  
13 necessary for salaries, support, maintenance, and  
14 miscellaneous purposes.

15 3. The department may transfer funds allocated  
16 in subsection 4 to the appropriations made in this  
17 division of this Act for the same fiscal year for  
18 general administration and field operations for  
19 resources necessary to implement and operate the family  
20 investment program services referred to in this section  
21 and those funded in the appropriation made in this  
22 division of this Act for the same fiscal year for the  
23 family investment program from the general fund of the  
24 state.

25 4. Moneys appropriated in this division of this Act  
26 and credited to the FIP account for the fiscal year

27 beginning July 1, 2016, and ending June 30, 2017, are  
 28 allocated as follows:  
 29 a. To be retained by the department of human  
 30 services to be used for coordinating with the  
 31 department of human rights to more effectively serve  
 32 participants in FIP and other shared clients and to  
 33 meet federal reporting requirements under the federal  
 34 temporary assistance for needy families block grant:  
 35 ..... \$ 10,000

Page 32

1 ..... 20,000  
 2 b. To the department of human rights for staffing,  
 3 administration, and implementation of the family  
 4 development and self-sufficiency grant program in  
 5 accordance with section 216A.107:  
 6 ..... \$ 3,096,417  
 7 6,192,834

8 (1) Of the funds allocated for the family  
 9 development and self-sufficiency grant program in this  
 10 paragraph “b”, not more than 5 percent of the funds  
 11 shall be used for the administration of the grant  
 12 program.

13 (2) The department of human rights may continue to  
 14 implement the family development and self-sufficiency  
 15 grant program statewide during fiscal year 2016–2017.

16 (3) The department of human rights may engage in  
 17 activities to strengthen and improve family outcomes  
 18 measures and data collection systems under the family  
 19 development and self-sufficiency grant program.

20 c. For the diversion subaccount of the FIP account:  
 21 ..... \$ 407,500  
 22 815,000

23 A portion of the moneys allocated for the subaccount  
 24 may be used for field operations, salaries, data  
 25 management system development, and implementation  
 26 costs and support deemed necessary by the director of  
 27 human services in order to administer the FIP diversion  
 28 program. To the extent moneys allocated in this  
 29 paragraph “c” are not deemed by the department to be  
 30 necessary to support diversion activities, such moneys  
 31 may be used for other efforts intended to increase  
 32 engagement by family investment program participants in  
 33 work, education, or training activities.

34 d. For the food assistance employment and training  
 35 program:

Page 33

1 .....	\$	<u>33,294</u>
2 .....		<u>66,588</u>
<p>3 (1) The department shall apply the federal</p> <p>4 supplemental nutrition assistance program (SNAP)</p> <p>5 employment and training state plan in order to maximize</p> <p>6 to the fullest extent permitted by federal law the use</p> <p>7 of the 50 percent federal reimbursement provisions</p> <p>8 for the claiming of allowable federal reimbursement</p> <p>9 funds from the United States department of agriculture</p> <p>10 pursuant to the federal SNAP employment and training</p> <p>11 program for providing education, employment, and</p> <p>12 training services for eligible food assistance program</p> <p>13 participants, including but not limited to related</p> <p>14 dependent care and transportation expenses.</p> <p>15 (2) The department shall continue the categorical</p> <p>16 federal food assistance program eligibility at 160</p> <p>17 percent of the federal poverty level and continue to</p> <p>18 eliminate the asset test from eligibility requirements,</p> <p>19 consistent with federal food assistance program</p> <p>20 requirements. The department shall include as many</p> <p>21 food assistance households as is allowed by federal</p> <p>22 law. The eligibility provisions shall conform to all</p> <p>23 federal requirements including requirements addressing</p> <p>24 individuals who are incarcerated or otherwise</p> <p>25 ineligible.</p> <p>26 e. For the JOBS program:</p> <p>27 .....</p> <p>28</p> <p>29 5. Of the child support collections assigned under</p> <p>30 FIP, an amount equal to the federal share of support</p> <p>31 collections shall be credited to the child support</p> <p>32 recovery appropriation made in this division of this</p> <p>33 Act. Of the remainder of the assigned child support</p> <p>34 collections received by the child support recovery</p> <p>35 unit, a portion shall be credited to the FIP account,</p>		
	\$	<u>8,770,199</u>
		<u>16,129,101</u>

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1 a portion may be used to increase recoveries, and a

2 portion may be used to sustain cash flow in the child

3 support payments account. If as a consequence of the

4 appropriations and allocations made in this section

5 the resulting amounts are insufficient to sustain

6 cash assistance payments and meet federal maintenance

7 of effort requirements, the department shall seek

8 supplemental funding. If child support collections

9 assigned under FIP are greater than estimated or are

10 otherwise determined not to be required for maintenance

11 of effort, the state share of either amount may

12 be transferred to or retained in the child support

13 payments account.

14 6. The department may adopt emergency rules for the  
15 family investment, JOBS, food assistance, and medical  
16 assistance programs if necessary to comply with federal  
17 requirements.

18 Sec. 8. 2015 Iowa Acts, chapter 137, section 128,  
19 is amended to read as follows:

20 SEC. 128. FAMILY INVESTMENT PROGRAM GENERAL

21 FUND. There is appropriated from the general fund of  
22 the state to the department of human services for the  
23 fiscal year beginning July 1, 2016, and ending June 30,  
24 2017, the following amount, or so much thereof as is  
25 necessary, to be used for the purpose designated:

26 To be credited to the family investment program  
27 (FIP) account and used for family investment program  
28 assistance under chapter 239B:

29 .....	\$	<u>24,326,927</u>
30		<u>48,673,875</u>

31 1. Of the funds appropriated in this section,  
32 ~~\$3,701,110~~ \$10,553,408 is allocated for the JOBS  
33 program.

34 2. Of the funds appropriated in this section,  
35 ~~\$1,656,927~~ \$3,313,854 is allocated for the family

- 1 development and self-sufficiency grant program.
- 2 3. Notwithstanding section 8.39, for the fiscal
- 3 year beginning July 1, 2016, if necessary to meet
- 4 federal maintenance of effort requirements; or to
- 5 transfer federal temporary assistance for needy
- 6 families block grant funding to be used for purposes
- 7 of the federal social services block grant; or to meet
- 8 cash flow needs resulting from delays in receiving
- 9 federal funding; or to implement, in accordance with
- 10 this division of this Act, activities currently funded
- 11 with juvenile court services, county, or community
- 12 moneys and state moneys used in combination with such
- 13 moneys; to comply with federal requirements; or to
- 14 maximize the use of federal funds, the department of
- 15 human services may transfer funds within or between
- 16 any of the appropriations made in this division of
- 17 this Act and appropriations in law for the federal
- 18 social services block grant to the department for the
- 19 following purposes, provided that the combined amount
- 20 of state and federal temporary assistance for needy
- 21 families block grant funding for each appropriation
- 22 remains the same before and after the transfer:
  - 23 a. For the family investment program.
  - 24 b. For child care assistance.
  - 25 c. For child and family services.
  - 26 d. For field operations.

27 e. For general administration.  
28 ~~f. For distribution to counties or regions through~~  
29 ~~the property tax relief fund for mental health and~~  
30 ~~disability services as provided in an appropriation for~~  
31 ~~this purpose.~~  
32 This subsection shall not be construed to prohibit  
33 the use of existing state transfer authority for other  
34 purposes. The department shall report any transfers  
35 made pursuant to this subsection to the legislative

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1 services agency.  
2 4. Of the funds appropriated in this section,  
3 ~~\$97,839~~ \$195,678 shall be used for continuation of a  
4 grant to an Iowa-based nonprofit organization with a  
5 history of providing tax preparation assistance to  
6 low-income Iowans in order to expand the usage of the  
7 earned income tax credit. The purpose of the grant is  
8 to supply this assistance to underserved areas of the  
9 state.  
10 5. Of the funds appropriated in this section,  
11 ~~\$30,000~~ \$60,000 shall be used for the continuation  
12 of an unfunded pilot project, as defined in 441 IAC  
13 100.1, relating to parental obligations, in which the  
14 child support recovery unit participates, to support  
15 the efforts of a nonprofit organization committed to  
16 strengthening the community through youth development,  
17 healthy living, and social responsibility headquartered  
18 in a county with a population over 350,000. The funds  
19 allocated in this subsection shall be used by the  
20 recipient organization to develop a larger community  
21 effort, through public and private partnerships,  
22 to support a broad-based multi-county fatherhood  
23 initiative that promotes payment of child support  
24 obligations, improved family relationships, and  
25 full-time employment.  
26 6. The department may transfer funds appropriated  
27 in this section to the appropriations made in this  
28 division of this Act for general administration and  
29 field operations as necessary to administer this  
30 section and the overall family investment program.  
31 Sec. 9. 2015 Iowa Acts, chapter 137, section 129,  
32 is amended to read as follows:  
33 SEC. 129. CHILD SUPPORT RECOVERY. There is  
34 appropriated from the general fund of the state to  
35 the department of human services for the fiscal year

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1 beginning July 1, 2016, and ending June 30, 2017, the  
2 following amount, or so much thereof as is necessary,  
3 to be used for the purposes designated:

4 For child support recovery, including salaries,  
5 support, maintenance, and miscellaneous purposes, and  
6 for not more than the following full-time equivalent  
7 positions:

8 .....	\$	7,331,686
9 .....		<u>14,663,373</u>
10 .....	FTEs	464.00

11 1. The department shall expend up to ~~\$12,164~~  
12 \$24,329, including federal financial participation, for  
13 the fiscal year beginning July 1, 2016, for a child  
14 support public awareness campaign. The department and  
15 the office of the attorney general shall cooperate in  
16 continuation of the campaign. The public awareness  
17 campaign shall emphasize, through a variety of media  
18 activities, the importance of maximum involvement of  
19 both parents in the lives of their children as well as  
20 the importance of payment of child support obligations.

21 2. Federal access and visitation grant moneys shall  
22 be issued directly to private not-for-profit agencies  
23 that provide services designed to increase compliance  
24 with the child access provisions of court orders,  
25 including but not limited to neutral visitation sites  
26 and mediation services.

27 3. The appropriation made to the department for  
28 child support recovery may be used throughout the  
29 fiscal year in the manner necessary for purposes of  
30 cash flow management, and for cash flow management  
31 purposes the department may temporarily draw more  
32 than the amount appropriated, provided the amount  
33 appropriated is not exceeded at the close of the fiscal  
34 year.

35 4. With the exception of the funding amount

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1 specified, the requirements established under 2001  
2 Iowa Acts, chapter 191, section 3, subsection 5,  
3 paragraph "c", subparagraph (3), shall be applicable  
4 to parental obligation pilot projects for the fiscal  
5 year beginning July 1, 2016, and ending June 30,  
6 2017. Notwithstanding 441 IAC 100.8, providing for  
7 termination of rules relating to the pilot projects,  
8 the rules shall remain in effect until June 30, 2017.

9 Sec. 10. 2015 Iowa Acts, chapter 137, section 132,  
10 is amended to read as follows:

11 SEC. 132. MEDICAL ASSISTANCE. There is  
12 appropriated from the general fund of the state to



13 the department of human services for the fiscal year  
14 beginning July 1, 2016, and ending June 30, 2017, the  
15 following amount, or so much thereof as is necessary,  
16 to be used for the purpose designated:

17 For medical assistance program reimbursement and  
18 associated costs as specifically provided in the  
19 reimbursement methodologies in effect on June 30,  
20 2016, except as otherwise expressly authorized by  
21 law, consistent with options under federal law and  
22 regulations, and contingent upon receipt of approval  
23 from the office of the governor of reimbursement for  
24 each abortion performed under the program:

25 ..... \$ ~~651,595,782~~  
26 1,318,246,446

27 1. Iowans support reducing the number of abortions  
28 performed in our state. Funds appropriated under  
29 this section shall not be used for abortions, unless  
30 otherwise authorized under this section.

31 2. The provisions of this section relating to  
32 abortions shall also apply to the Iowa health and  
33 wellness plan created pursuant to chapter 249N.

34 3. The department shall utilize not more than  
35 ~~\$30,000~~ \$60,000 of the funds appropriated in this

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1 section to continue the AIDS/HIV health insurance  
2 premium payment program as established in 1992 Iowa  
3 Acts, Second Extraordinary Session, chapter 1001,  
4 section 409, subsection 6. Of the funds allocated in  
5 this subsection, not more than ~~\$2,500~~ \$5,000 may be  
6 expended for administrative purposes.

7 4. Of the funds appropriated in this Act to the  
8 department of public health for addictive disorders,  
9 ~~\$475,000~~ \$950,000 for the fiscal year beginning July  
10 1, 2016, is transferred to the department of human  
11 services for an integrated substance-related disorder  
12 managed care system. The department shall not assume  
13 management of the substance-related disorder system  
14 in place of the managed care contractor unless such  
15 a change in approach is specifically authorized in  
16 law. The departments of human services and public  
17 health shall work together to maintain the level  
18 of mental health and substance-related disorder  
19 treatment services provided by the managed care  
20 ~~contractor through the Iowa plan for behavioral health~~  
21 contractors. Each department shall take the steps  
22 necessary to continue the federal waivers as necessary  
23 to maintain the level of services.

24 5. a. The department shall aggressively pursue  
25 options for providing medical assistance or other  
26 assistance to individuals with special needs who become

27 ineligible to continue receiving services under the  
 28 early and periodic screening, diagnostic, and treatment  
 29 program under the medical assistance program due  
 30 to becoming 21 years of age who have been approved  
 31 for additional assistance through the department's  
 32 exception to policy provisions, but who have health  
 33 care needs in excess of the funding available through  
 34 the exception to policy provisions.  
 35 b. Of the funds appropriated in this section,

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1 ~~\$50,000~~ \$100,000 shall be used for participation in one  
 2 or more pilot projects operated by a private provider  
 3 to allow the individual or individuals to receive  
 4 service in the community in accordance with principles  
 5 established in *Olmstead v. L.C.*, 527 U.S. 581 (1999),  
 6 for the purpose of providing medical assistance or  
 7 other assistance to individuals with special needs  
 8 who become ineligible to continue receiving services  
 9 under the early and periodic screening, diagnostic, and  
 10 treatment program under the medical assistance program  
 11 due to becoming 21 years of age who have been approved  
 12 for additional assistance through the department's  
 13 exception to policy provisions, but who have health  
 14 care needs in excess of the funding available through  
 15 the exception to the policy provisions.

16 6. Of the funds appropriated in this section, up to  
 17 ~~\$1,525,041~~ \$3,050,082 may be transferred to the field  
 18 operations or general administration appropriations  
 19 in this division of this Act for operational costs  
 20 associated with Part D of the federal Medicare  
 21 Prescription Drug Improvement and Modernization Act of  
 22 2003, Pub. L. No. 108-173.

23 7. Of the funds appropriated in this section,  
 24 up to ~~\$221,050~~ \$442,100 may be transferred to the  
 25 appropriation in this division of this Act for medical  
 26 contracts to be used for clinical assessment services  
 27 and prior authorization of services.

28 8. A portion of the funds appropriated in this  
 29 section may be transferred to the appropriations in  
 30 this division of this Act for general administration,  
 31 medical contracts, the children's health insurance  
 32 program, or field operations to be used for the  
 33 state match cost to comply with the payment error  
 34 rate measurement (PERM) program for both the medical  
 35 assistance and children's health insurance programs

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1 as developed by the centers for Medicare and Medicaid  
2 services of the United States department of health and  
3 human services to comply with the federal Improper  
4 Payments Information Act of 2002, Pub. L. No. 107-300.

5 9. The department shall continue to implement the  
6 recommendations of the assuring better child health  
7 and development initiative II (ABCDII) clinical panel  
8 to the Iowa early and periodic screening, diagnostic,  
9 and treatment services healthy mental development  
10 collaborative board regarding changes to billing  
11 procedures, codes, and eligible service providers.

12 10. Of the funds appropriated in this section,  
13 a sufficient amount is allocated to supplement  
14 the incomes of residents of nursing facilities,  
15 intermediate care facilities for persons with mental  
16 illness, and intermediate care facilities for persons  
17 with an intellectual disability, with incomes of less  
18 than \$50 in the amount necessary for the residents to  
19 receive a personal needs allowance of \$50 per month  
20 pursuant to section 249A.30A.

21 ~~11. Of the funds appropriated in this section, the~~  
22 ~~following amounts are transferred to the appropriations~~  
23 ~~made in this division of this Act for the state mental~~  
24 ~~health institutes:~~

25 a. Cherokee mental health institute ~~\$ 4,549,212~~

26 b. Independence mental health institute

27 ..... \$ ~~4,522,947~~

28 12. a. Of the funds appropriated in this section,  
29 ~~\$2,041,939~~ \$3,000,000 is allocated for the state  
30 match for a disproportionate share hospital payment of  
31 ~~\$4,544,712~~ \$6,861,848 to hospitals that meet both of  
32 the conditions specified in subparagraphs (1) and (2).  
33 In addition, the hospitals that meet the conditions  
34 specified shall either certify public expenditures  
35 or transfer to the medical assistance program an

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1 amount equal to provide the nonfederal share for a  
2 disproportionate share hospital payment of ~~\$8,772,003~~  
3 \$19,771,582. The hospitals that meet the conditions  
4 specified shall receive and retain 100 percent of  
5 the total disproportionate share hospital payment of  
6 ~~\$13,316,715~~ \$26,633,430.

7 (1) The hospital qualifies for disproportionate  
8 share and graduate medical education payments.

9 (2) The hospital is an Iowa state-owned hospital  
10 with more than 500 beds and eight or more distinct  
11 residency specialty or subspecialty programs recognized  
12 by the American college of graduate medical education.

13 b. Distribution of the disproportionate share  
 14 payments shall be made on a monthly basis. The total  
 15 amount of disproportionate share payments including  
 16 graduate medical education, enhanced disproportionate  
 17 share, and Iowa state-owned teaching hospital payments  
 18 shall not exceed the amount of the state's allotment  
 19 under Pub. L. No. 102-234. In addition, the total  
 20 amount of all disproportionate share payments shall not  
 21 exceed the hospital-specific disproportionate share  
 22 limits under Pub. L. No. 103-66.

23 c. The university of Iowa hospitals and clinics  
 24 shall either certify public expenditures or transfer  
 25 to the appropriations made in this division of this  
 26 Act for medical assistance an amount equal to provide  
 27 the nonfederal share for increased medical assistance  
 28 payments for inpatient and outpatient hospital services  
 29 of ~~\$4,950,000~~ \$9,900,000. The university of Iowa  
 30 hospitals and clinics shall receive and retain 100  
 31 percent of the total increase in medical assistance  
 32 payments.

33 d. Payment methodologies utilized for  
 34 disproportionate share hospitals and graduate medical  
 35 education, and other supplemental payments under

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1 the Medicaid program may be adjusted or converted to  
 2 other methodologies or payment types to provide these  
 3 payments ~~through Medicaid managed care after April 1,~~  
 4 2016. The department of human services shall obtain  
 5 approval from the centers for Medicare and Medicaid  
 6 services of the United States department of health and  
 7 human services prior to implementation of any such  
 8 adjusted or converted methodologies or payment types.

9 13. One hundred percent of the nonfederal share of  
 10 payments to area education agencies that are medical  
 11 assistance providers for medical assistance-covered  
 12 services provided to medical assistance-covered  
 13 children, shall be made from the appropriation made in  
 14 this section.

15 14. Any new or renewed contract entered into by the  
 16 department with a third party to administer services  
 17 under the medical assistance program shall provide  
 18 that any interest earned on payments from the state  
 19 during the state fiscal year shall be remitted to the  
 20 department and treated as recoveries to offset the  
 21 costs of the medical assistance program.

22 15. A portion of the funds appropriated in this  
 23 section may be transferred to the appropriation in this  
 24 division of this Act for medical contracts to be used  
 25 for administrative activities associated with the money  
 26 follows the person demonstration project.

27 16. Of the funds appropriated in this section,  
28 ~~\$174,595~~ \$349,011 shall be used for the administration  
29 of the health insurance premium payment program,  
30 including salaries, support, maintenance, and  
31 miscellaneous purposes.  
32 17. a. The department may increase the amounts  
33 allocated for salaries, support, maintenance, and  
34 miscellaneous purposes associated with the medical  
35 assistance program, as necessary, to implement cost

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1 containment strategies. The department shall report  
2 any such increase to the legislative services agency  
3 and the department of management.

4 b. If the savings to the medical assistance program  
5 from cost containment efforts exceed the cost for the  
6 fiscal year beginning July 1, 2016, the department may  
7 transfer any savings generated for the fiscal year due  
8 to medical assistance program cost containment efforts  
9 to the appropriation made in this division of this Act  
10 for medical contracts or general administration to  
11 defray the increased contract costs associated with  
12 implementing such efforts.

13 18. For the fiscal year beginning July 1, 2016,  
14 and ending June 30, 2017, the replacement generation  
15 tax revenues required to be deposited in the property  
16 tax relief fund pursuant to section 437A.8, subsection  
17 4, paragraph "d", and section 437A.15, subsection  
18 3, paragraph "f", shall instead be credited to and  
19 supplement the appropriation made in this section and  
20 used for the allocations made in this section.

21 ~~19. The department shall continue to administer the~~  
22 ~~state balancing incentive payments program as specified~~  
23 ~~in 2012 Iowa Acts, chapter 1133, section 14.~~

24 20. a. Of the funds appropriated in this section,  
25 up to ~~\$25,000~~ \$50,000 may be transferred by the  
26 department to the appropriation made in this division  
27 of this Act to the department for the same fiscal year  
28 for general administration to be used for associated  
29 administrative expenses and for not more than one  
30 full-time equivalent position, in addition to those  
31 authorized for the same fiscal year, to be assigned to  
32 implementing the children's mental health home project.

33 b. Of the funds appropriated in this section,  
34 up to ~~\$200,000~~ \$400,000 may be transferred by the  
35 department to the appropriation made to the department

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1 in this division of this Act for the same fiscal year  
 2 for Medicaid program-related general administration  
 3 planning and implementation activities. The funds may  
 4 be used for contracts or for personnel in addition  
 5 to the amounts appropriated for and the positions  
 6 authorized for general administration for the fiscal  
 7 year.

8 c. Of the funds appropriated in this section,  
 9 up to ~~\$1,500,000~~ \$3,000,000 may be transferred by  
 10 the department to the appropriations made in this  
 11 division of this Act for the same fiscal year for  
 12 general administration or medical contracts to be  
 13 used to support the development and implementation of  
 14 standardized assessment tools for persons with mental  
 15 illness, an intellectual disability, a developmental  
 16 disability, or a brain injury.

17 21. Of the funds appropriated in this section,  
 18 ~~\$125,000~~ \$250,000 shall be used for lodging expenses  
 19 associated with care provided at the university of  
 20 Iowa hospitals and clinics for patients with cancer  
 21 whose travel distance is 30 miles or more and whose  
 22 income is at or below 200 percent of the federal  
 23 poverty level as defined by the most recently revised  
 24 poverty income guidelines published by the United  
 25 States department of health and human services. The  
 26 department of human services shall establish the  
 27 maximum number of overnight stays and the maximum rate  
 28 reimbursed for overnight lodging, which may be based on  
 29 the state employee rate established by the department  
 30 of administrative services. The funds allocated in  
 31 this subsection shall not be used as nonfederal share  
 32 matching funds.

33 23. The department of human services shall not  
 34 implement the following cost containment strategies  
 35 as recommended by the governor for the fiscal year

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1 beginning July 1, 2016:  
 2 a. A policy to ensure that reimbursement for  
 3 Medicare Part A and Medicare Part B crossover claims is  
 4 limited to the Medicaid reimbursement rate.  
 5 b. An adjustment to the reimbursement policy in  
 6 order to end the primary care physician rate increase  
 7 originally authorized by the federal Health Care and  
 8 Education Reconciliation Act of 2010, section 1202,  
 9 Pub. L. No. 111-152, 42 U.S.C. §1396a(a)(13)(C) that  
 10 allows qualified primary care physicians to receive  
 11 the greater of the Medicare rate or Medicaid rate for  
 12 a specified set of codes.

13 24. The department shall report the implementation  
14 of any cost containment strategies to the individuals  
15 specified in this division of this Act for submission  
16 of reports upon implementation.

17 25. The department shall report the implementation  
18 of any improved processing changes and any related  
19 cost reductions to the individuals specified in this  
20 division of this Act for submission of reports upon  
21 implementation.

22 26. Of the funds appropriated in this section,  
23 \$2,000,000 shall be used to implement reductions in  
24 the waiting lists of all medical assistance home and  
25 community-based services waivers.

26 27. The department shall submit a report to the  
27 individuals identified in this Act for submission of  
28 reports, regarding the impact of changes in home and  
29 community-based services waiver supported employment  
30 and prevocational services by December 15, 2016.

31 28. Any dental benefit manager contracting with the  
32 department of human services for the dental wellness  
33 plan on or after July 1, 2016, shall meet the same  
34 contract requirements. Readiness review of such a  
35 dental benefit manager shall be based on the criteria

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1 applicable to the dental wellness plan when implemented  
2 on May 1, 2014, including but not limited to network  
3 adequacy, access to services, performance measures,  
4 benefit design, and other requirements as determined by  
5 the department for the dental wellness program. Any  
6 dental benefit manager that has been approved by a  
7 readiness review prior to July 1, 2016, shall not be  
8 required to repeat such review for the department.

9 29. The department of human services shall review  
10 the fiscal impact and potential benefit to Medicaid  
11 recipients of including single-tablet regimens or  
12 long-acting alternatives for various drug categories  
13 on the preferred drug list, as an alternative to  
14 multi-tablet regimens for these same drug categories.  
15 The department shall pursue manufacturer supplemental  
16 rebate offers to determine if opportunities are  
17 available to align the cost of such single-tablet  
18 regimens with the corresponding multi-tablet regimens.  
19 The department shall submit the department's findings  
20 and recommendations to the individuals specified in  
21 this Act for submission of reports by December 15,  
22 2016.

23 Sec. 11. 2015 Iowa Acts, chapter 137, section 133,  
24 is amended to read as follows:

25 SEC. 133. MEDICAL CONTRACTS. There is appropriated  
26 from the general fund of the state to the department of

27 human services for the fiscal year beginning July 1,  
28 2016, and ending June 30, 2017, the following amount,  
29 or so much thereof as is necessary, to be used for the  
30 purpose designated:

31 For medical contracts:

32 .....	\$	<u>9,806,982</u>
33		<u>17,045,964</u>

34 1. The department of inspections and appeals  
35 shall provide all state matching funds for survey and

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1 certification activities performed by the department  
2 of inspections and appeals. The department of human  
3 services is solely responsible for distributing the  
4 federal matching funds for such activities.

5 2. Of the funds appropriated in this section,  
6 ~~\$25,000~~ \$50,000 shall be used for continuation of home  
7 and community-based services waiver quality assurance  
8 programs, including the review and streamlining of  
9 processes and policies related to oversight and quality  
10 management to meet state and federal requirements.

11 3. Of the amount appropriated in this section,  
12 up to ~~\$100,000~~ \$200,000 may be transferred to the  
13 appropriation for general administration in this  
14 division of this Act to be used for additional  
15 full-time equivalent positions in the development  
16 of key health initiatives such as cost containment,  
17 development and oversight of managed care programs,  
18 and development of health strategies targeted toward  
19 improved quality and reduced costs in the Medicaid  
20 program.

21 4. Of the funds appropriated in this section,  
22 ~~\$500,000~~ \$1,000,000 shall be used for planning and  
23 development, in cooperation with the department of  
24 public health, of a phased-in program to provide a  
25 dental home for children.

26 5. Of the funds appropriated in this section,  
27 ~~\$1,000,000~~ \$2,000,000 shall be credited to the autism  
28 support program fund created in section 225D.2 to be  
29 used for the autism support program created in chapter  
30 225D, with the exception of the following amounts of  
31 this allocation which shall be used as follows:

32 a. Of the funds allocated in this subsection,  
33 ~~\$125,000~~ \$250,000 shall be deposited in the  
34 board-certified behavior analyst and board-certified  
35 assistant behavior analyst grants program fund created



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1 in section 135.181, ~~as enacted in this Act~~, to be used  
2 for the purposes of the fund.

3 b. Of the funds allocated in this subsection,  
4 ~~\$12,500~~ \$25,000 shall be used for the public purpose  
5 of continuation of a grant to a child welfare services  
6 provider headquartered in a county with a population  
7 between 205,000 and 215,000 in the latest certified  
8 federal census that provides multiple services  
9 including but not limited to a psychiatric medical  
10 institution for children, shelter, residential  
11 treatment, after school programs, school-based  
12 programming, and an Asperger's syndrome program, to  
13 be used for support services for children with autism  
14 spectrum disorder and their families.

15 c. Of the funds allocated in this subsection,  
16 ~~\$12,500~~ \$25,000 shall be used for the public purpose  
17 of continuing a grant to a hospital-based provider  
18 headquartered in a county with a population between  
19 90,000 and 95,000 in the latest certified federal  
20 census that provides multiple services including but  
21 not limited to diagnostic, therapeutic, and behavioral  
22 services to individuals with autism spectrum disorder  
23 across one's lifespan. The grant recipient shall  
24 utilize the funds to continue the pilot project to  
25 determine the necessary support services for children  
26 with autism spectrum disorder and their families to  
27 be included in the children's disabilities services  
28 system. The grant recipient shall submit findings and  
29 recommendations based upon the results of the pilot  
30 project to the individuals specified in this division  
31 of this Act for submission of reports by December 31,  
32 ~~2015~~ 2016.

33 Sec. 12. 2015 Iowa Acts, chapter 137, section 134,  
34 is amended to read as follows:

35 SEC. 134. STATE SUPPLEMENTARY ASSISTANCE.

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1 1. There is appropriated from the general fund of  
2 the state to the department of human services for the  
3 fiscal year beginning July 1, 2016, and ending June 30,  
4 2017, the following amount, or so much thereof as is  
5 necessary, to be used for the purpose designated:

6 For the state supplementary assistance program:  
7 ..... \$ 6,498,593  
8 11,611,442

9 2. The department shall increase the personal needs  
10 allowance for residents of residential care facilities  
11 by the same percentage and at the same time as federal  
12 supplemental security income and federal social

13 security benefits are increased due to a recognized  
 14 increase in the cost of living. The department may  
 15 adopt emergency rules to implement this subsection.  
 16 3. If during the fiscal year beginning July 1,  
 17 2016, the department projects that state supplementary  
 18 assistance expenditures for a calendar year will not  
 19 meet the federal pass-through requirement specified  
 20 in Tit. XVI of the federal Social Security Act,  
 21 section 1618, as codified in 42 U.S.C. §1382g,  
 22 the department may take actions including but not  
 23 limited to increasing the personal needs allowance  
 24 for residential care facility residents and making  
 25 programmatic adjustments or upward adjustments of the  
 26 residential care facility or in-home health-related  
 27 care reimbursement rates prescribed in this division of  
 28 this Act to ensure that federal requirements are met.  
 29 In addition, the department may make other programmatic  
 30 and rate adjustments necessary to remain within the  
 31 amount appropriated in this section while ensuring  
 32 compliance with federal requirements. The department  
 33 may adopt emergency rules to implement the provisions  
 34 of this subsection.  
 35 Sec. 13. 2015 Iowa Acts, chapter 137, section 135,

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1 is amended to read as follows:

2 SEC. 135. CHILDREN'S HEALTH INSURANCE PROGRAM.

3 1. There is appropriated from the general fund of  
 4 the state to the department of human services for the  
 5 fiscal year beginning July 1, 2016, and ending June 30,  
 6 2017, the following amount, or so much thereof as is  
 7 necessary, to be used for the purpose designated:

8 For maintenance of the healthy and well kids in Iowa  
 9 (hawk-i) program pursuant to chapter 514I, including  
 10 supplemental dental services, for receipt of federal  
 11 financial participation under Tit. XXI of the federal  
 12 Social Security Act, which creates the children's  
 13 health insurance program:

14 .....	\$	<u>10,206,922</u>
15		<u>9,176,652</u>

16 2. Of the funds appropriated in this section,  
 17 ~~\$21,400~~ \$42,800 is allocated for continuation of the  
 18 contract for outreach with the department of public  
 19 health.

20 Sec. 14. 2015 Iowa Acts, chapter 137, section 136,  
 21 is amended to read as follows:

22 SEC. 136. CHILD CARE ASSISTANCE. There is  
 23 appropriated from the general fund of the state to  
 24 the department of human services for the fiscal year  
 25 beginning July 1, 2016, and ending June 30, 2017, the  
 26 following amount, or so much thereof as is necessary,

27 to be used for the purpose designated:

28 For child care programs:

29 .....	\$	<u>25,704,334</u>
30		<u>36,389,561</u>

31 1. Of the funds appropriated in this section,  
32 ~~\$21,844,620~~ \$30,039,561 shall be used for state child  
33 care assistance in accordance with section 237A.13.

34 2. Nothing in this section shall be construed or  
35 is intended as or shall imply a grant of entitlement

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1 for services to persons who are eligible for assistance  
2 due to an income level consistent with the waiting  
3 list requirements of section 237A.13. Any state  
4 obligation to provide services pursuant to this section  
5 is limited to the extent of the funds appropriated in  
6 this section.

7 ~~3. Of the funds appropriated in this section,~~  
8 ~~\$216,226 is allocated for the statewide grant program~~  
9 ~~for child care resource and referral services under~~  
10 ~~section 237A.26.~~ A list of the registered and licensed  
11 child care facilities operating in the area served by a  
12 child care resource and referral service shall be made  
13 available to the families receiving state child care  
14 assistance in that area.

15 ~~4. Of the funds appropriated in this section,~~  
16 ~~\$468,487 is allocated for child care quality~~  
17 ~~improvement initiatives including but not limited to~~  
18 ~~the voluntary quality rating system in accordance with~~  
19 ~~section 237A.30.~~

20 5. Of the funds appropriated in this section,  
21 ~~\$3,175,000~~ \$6,350,000 shall be credited to the  
22 early childhood programs grants account in the early  
23 childhood Iowa fund created in section 256I.11.  
24 The moneys shall be distributed for funding of  
25 community-based early childhood programs targeted to  
26 children from birth through five years of age developed  
27 by early childhood Iowa areas in accordance with  
28 approved community plans as provided in section 256I.8.

29 6. The department may use any of the funds  
30 appropriated in this section as a match to obtain  
31 federal funds for use in expanding child care  
32 assistance and related programs. For the purpose of  
33 expenditures of state and federal child care funding,  
34 funds shall be considered obligated at the time  
35 expenditures are projected or are allocated to the

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1 department's service areas. Projections shall be based  
2 on current and projected caseload growth, current and  
3 projected provider rates, staffing requirements for  
4 eligibility determination and management of program  
5 requirements including data systems management,  
6 staffing requirements for administration of the  
7 program, contractual and grant obligations and any  
8 transfers to other state agencies, and obligations for  
9 decategorization or innovation projects.

10 7. A portion of the state match for the federal  
11 child care and development block grant shall be  
12 provided as necessary to meet federal matching  
13 funds requirements through the state general fund  
14 appropriation made for child development grants and  
15 other programs for at-risk children in section 279.51.

16 8. If a uniform reduction ordered by the governor  
17 under section 8.31 or other operation of law,  
18 transfer, or federal funding reduction reduces the  
19 appropriation made in this section for the fiscal year,  
20 the percentage reduction in the amount paid out to or  
21 on behalf of the families participating in the state  
22 child care assistance program shall be equal to or  
23 less than the percentage reduction made for any other  
24 purpose payable from the appropriation made in this  
25 section and the federal funding relating to it. The  
26 percentage reduction to the other allocations made in  
27 this section shall be the same as the uniform reduction  
28 ordered by the governor or the percentage change of the  
29 federal funding reduction, as applicable. If there is  
30 an unanticipated increase in federal funding provided  
31 for state child care assistance, the entire amount  
32 of the increase shall be used for state child care  
33 assistance payments. If the appropriations made for  
34 purposes of the state child care assistance program for  
35 the fiscal year are determined to be insufficient, it

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1 is the intent of the general assembly to appropriate  
2 sufficient funding for the fiscal year in order to  
3 avoid establishment of waiting list requirements.

4 9. Notwithstanding section 8.33, moneys advanced  
5 for purposes of the programs developed by early  
6 childhood Iowa areas, advanced for purposes of  
7 wraparound child care, or received from the federal  
8 appropriations made for the purposes of this section  
9 that remain unencumbered or unobligated at the close  
10 of the fiscal year shall not revert to any fund but  
11 shall remain available for expenditure for the purposes  
12 designated until the close of the succeeding fiscal

13 year.

14 Sec. 15. 2015 Iowa Acts, chapter 137, section 137,  
15 is amended to read as follows:

16 SEC. 137. JUVENILE INSTITUTION. There is  
17 appropriated from the general fund of the state to  
18 the department of human services for the fiscal year  
19 beginning July 1, 2016, and ending June 30, 2017, the  
20 following amounts, or so much thereof as is necessary,  
21 to be used for the purposes designated:

22 1. For operation of the state training school at  
23 Eldora and for salaries, support, maintenance, and  
24 miscellaneous purposes, and for not more than the  
25 following full-time equivalent positions:

26 .....	\$	<del>6,116,710</del>
27 .....		<u>12,233,420</u>
28 .....	FTEs	169.30

29 Of the funds appropriated in this subsection,  
30 ~~\$45,575~~ \$91,150 shall be used for distribution  
31 to licensed classroom teachers at this and other  
32 institutions under the control of the department of  
33 human services based upon the average student yearly  
34 enrollment at each institution as determined by the  
35 department.

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1 2. A portion of the moneys appropriated in this  
2 section shall be used by the state training school at  
3 Eldora for grants for adolescent pregnancy prevention  
4 activities at the institution in the fiscal year  
5 beginning July 1, 2016.

6 Sec. 16. 2015 Iowa Acts, chapter 137, section 138,  
7 is amended to read as follows:

8 SEC. 138. CHILD AND FAMILY SERVICES.

9 1. There is appropriated from the general fund of  
10 the state to the department of human services for the  
11 fiscal year beginning July 1, 2016, and ending June 30,  
12 2017, the following amount, or so much thereof as is  
13 necessary, to be used for the purpose designated:

14 For child and family services:

15 .....	\$	<u>42,670,960</u>
16 .....		<u>84,482,419</u>

17 2. ~~Up to \$2,600,000 of~~ Of the amount of federal  
18 ~~temporary assistance for needy families block grant~~  
19 ~~funding~~ appropriated in this division of this Act for  
20 ~~child and family services section, \$5,200,000 shall be~~  
21 ~~made available~~ used for purposes of juvenile delinquent  
22 graduated sanction services.

23 3. The department may transfer funds appropriated  
24 in this section as necessary to pay the nonfederal  
25 costs of services reimbursed under the medical  
26 assistance program, state child care assistance

27 program, or the family investment program which are  
28 provided to children who would otherwise receive  
29 services paid under the appropriation in this section.  
30 The department may transfer funds appropriated in this  
31 section to the appropriations made in this division  
32 of this Act for general administration and for field  
33 operations for resources necessary to implement and  
34 operate the services funded in this section.  
35 4. a. Of the funds appropriated in this section,

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1 up to ~~\$17,910,893~~ \$35,736,649 is allocated as the  
2 statewide expenditure target under section 232.143  
3 for group foster care maintenance and services. If  
4 the department projects that such expenditures for  
5 the fiscal year will be less than the target amount  
6 allocated in this paragraph "a", the department may  
7 reallocate the excess to provide additional funding for  
8 shelter care or the child welfare emergency services  
9 addressed with the allocation for shelter care.  
10 b. If at any time after September 30, 2016,  
11 annualization of a service area's current expenditures  
12 indicates a service area is at risk of exceeding its  
13 group foster care expenditure target under section  
14 232.143 by more than 5 percent, the department and  
15 juvenile court services shall examine all group  
16 foster care placements in that service area in order  
17 to identify those which might be appropriate for  
18 termination. In addition, any aftercare services  
19 believed to be needed for the children whose  
20 placements may be terminated shall be identified. The  
21 department and juvenile court services shall initiate  
22 action to set dispositional review hearings for the  
23 placements identified. In such a dispositional review  
24 hearing, the juvenile court shall determine whether  
25 needed aftercare services are available and whether  
26 termination of the placement is in the best interest of  
27 the child and the community.  
28 5. In accordance with the provisions of section  
29 232.188, the department shall continue the child  
30 welfare and juvenile justice funding initiative during  
31 fiscal year 2016-2017. Of the funds appropriated  
32 in this section, ~~\$858,876~~ \$1,717,753 is allocated  
33 specifically for expenditure for fiscal year 2016-2017  
34 through the decategorization services funding pools  
35 and governance boards established pursuant to section

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1 232.188.

2 6. A portion of the funds appropriated in this  
3 section may be used for emergency family assistance  
4 to provide other resources required for a family  
5 participating in a family preservation or reunification  
6 project or successor project to stay together or to be  
7 reunified.

8 7. Notwithstanding section 234.35 or any other  
9 provision of law to the contrary, state funding for  
10 shelter care and the child welfare emergency services  
11 contracting implemented to provide for or prevent the  
12 need for shelter care shall be limited to ~~\$4,034,237~~  
13 \$8,096,158.

14 8. Federal funds received by the state during  
15 the fiscal year beginning July 1, 2016, as the  
16 result of the expenditure of state funds appropriated  
17 during a previous state fiscal year for a service or  
18 activity funded under this section are appropriated  
19 to the department to be used as additional funding  
20 for services and purposes provided for under this  
21 section. Notwithstanding section 8.33, moneys  
22 received in accordance with this subsection that remain  
23 unencumbered or unobligated at the close of the fiscal  
24 year shall not revert to any fund but shall remain  
25 available for the purposes designated until the close  
26 of the succeeding fiscal year.

27 9. a. Of the funds appropriated in this section,  
28 up to ~~\$1,645,000~~ \$3,290,000 is allocated for the  
29 payment of the expenses of court-ordered services  
30 provided to juveniles who are under the supervision of  
31 juvenile court services, which expenses are a charge  
32 upon the state pursuant to section 232.141, subsection  
33 4. Of the amount allocated in this paragraph "a",  
34 up to ~~\$778,143~~ \$1,556,287 shall be made available  
35 to provide school-based supervision of children

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1 adjudicated under chapter 232, of which not more than  
2 ~~\$7,500~~ \$15,000 may be used for the purpose of training.  
3 A portion of the cost of each school-based liaison  
4 officer shall be paid by the school district or other  
5 funding source as approved by the chief juvenile court  
6 officer.

7 b. Of the funds appropriated in this section, up to  
8 ~~\$374,492~~ \$748,985 is allocated for the payment of the  
9 expenses of court-ordered services provided to children  
10 who are under the supervision of the department,  
11 which expenses are a charge upon the state pursuant to  
12 section 232.141, subsection 4.

13 c. Notwithstanding section 232.141 or any other  
 14 provision of law to the contrary, the amounts allocated  
 15 in this subsection shall be distributed to the  
 16 judicial districts as determined by the state court  
 17 administrator and to the department's service areas  
 18 as determined by the administrator of the department  
 19 of human services' division of child and family  
 20 services. The state court administrator and the  
 21 division administrator shall make the determination of  
 22 the distribution amounts on or before June 15, 2016.  
 23 d. Notwithstanding chapter 232 or any other  
 24 provision of law to the contrary, a district or  
 25 juvenile court shall not order any service which is  
 26 a charge upon the state pursuant to section 232.141  
 27 if there are insufficient court-ordered services  
 28 funds available in the district court or departmental  
 29 service area distribution amounts to pay for the  
 30 service. The chief juvenile court officer and the  
 31 departmental service area manager shall encourage use  
 32 of the funds allocated in this subsection such that  
 33 there are sufficient funds to pay for all court-related  
 34 services during the entire year. The chief juvenile  
 35 court officers and departmental service area managers

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1 shall attempt to anticipate potential surpluses and  
 2 shortfalls in the distribution amounts and shall  
 3 cooperatively request the state court administrator  
 4 or division administrator to transfer funds between  
 5 the judicial districts' or departmental service areas'  
 6 distribution amounts as prudent.  
 7 e. Notwithstanding any provision of law to the  
 8 contrary, a district or juvenile court shall not order  
 9 a county to pay for any service provided to a juvenile  
 10 pursuant to an order entered under chapter 232 which  
 11 is a charge upon the state under section 232.141,  
 12 subsection 4.  
 13 f. Of the funds allocated in this subsection, not  
 14 more than ~~\$41,500~~ \$83,000 may be used by the judicial  
 15 branch for administration of the requirements under  
 16 this subsection.  
 17 g. Of the funds allocated in this subsection,  
 18 ~~\$8,500~~ \$17,000 shall be used by the department of human  
 19 services to support the interstate commission for  
 20 juveniles in accordance with the interstate compact for  
 21 juveniles as provided in section 232.173.  
 22 10. Of the funds appropriated in this section,  
 23 ~~\$4,026,613~~ \$8,053,227 is allocated for juvenile  
 24 delinquent graduated sanctions services. Any state  
 25 funds saved as a result of efforts by juvenile court  
 26 services to earn a federal Tit. IV-E match for juvenile



27 court services administration may be used for the  
28 juvenile delinquent graduated sanctions services.  
29 11. Of the funds appropriated in this section,  
30 ~~804,142~~ 1,658,285 is transferred to the department  
31 of public health to be used for the child protection  
32 center grant program for child protection centers  
33 located in Iowa in accordance with section 135.118.  
34 The grant amounts under the program shall be equalized  
35 so that each center receives a uniform base amount

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1 of ~~122,500~~ 245,000, so that \$50,000 is awarded to  
2 establish a satellite child protection center in a  
3 city in north central Iowa that is the county seat of  
4 a county with a population between 44,000 and 45,000  
5 according to the 2010 federal decennial census, and so  
6 that the remaining funds shall be ~~are~~ awarded through  
7 a funding formula based upon the volume of children  
8 served.

9 12. If the department receives federal approval  
10 to implement a waiver under Tit. IV-E of the federal  
11 Social Security Act to enable providers to serve  
12 children who remain in the children's families and  
13 communities, for purposes of eligibility under the  
14 medical assistance program through 25 years of age,  
15 children who participate in the waiver shall be  
16 considered to be placed in foster care.

17 13. Of the funds appropriated in this section,  
18 ~~2,012,583~~ 4,025,167 is allocated for the preparation  
19 for adult living program pursuant to section 234.46.

20 14. Of the funds appropriated in this section,  
21 ~~113,668~~ 227,337 shall be used for the public purpose  
22 of continuing a grant to a nonprofit human services  
23 organization providing services to individuals and  
24 families in multiple locations in southwest Iowa and  
25 Nebraska for support of a project providing immediate,  
26 sensitive support and forensic interviews, medical  
27 exams, needs assessments, and referrals for victims of  
28 child abuse and their nonoffending family members.

29 15. Of the funds appropriated in this section,  
30 ~~150,310~~ 300,620 is allocated for the foster care  
31 youth council approach of providing a support network  
32 to children placed in foster care.

33 16. Of the funds appropriated in this section,  
34 ~~101,000~~ 202,000 is allocated for use pursuant to  
35 section 235A.1 for continuation of the initiative to

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1 address child sexual abuse implemented pursuant to 2007  
2 Iowa Acts, chapter 218, section 18, subsection 21.

3 17. Of the funds appropriated in this section,  
4 ~~\$315,120~~ \$630,240 is allocated for the community  
5 partnership for child protection sites.

6 18. Of the funds appropriated in this section,  
7 ~~\$185,625~~ \$371,250 is allocated for the department's  
8 minority youth and family projects under the redesign  
9 of the child welfare system.

10 19. Of the funds appropriated in this section,  
11 ~~\$593,297~~ \$1,186,595 is allocated for funding of the  
12 community circle of care collaboration for children and  
13 youth in northeast Iowa.

14 20. Of the funds appropriated in this section,  
15 at least ~~\$73,579~~ \$147,158 shall be used for the  
16 continuation of the child welfare provider training  
17 academy, a collaboration between the coalition  
18 for family and children's services in Iowa and the  
19 department.

20 21. Of the funds appropriated in this section,  
21 ~~\$105,936~~ \$211,872 shall be used for continuation of the  
22 central Iowa system of care program grant through June  
23 30, 2017.

24 22. Of the funds appropriated in this section,  
25 ~~\$117,500~~ \$235,000 shall be used for the public  
26 purpose of the continuation and expansion of a system  
27 of care program grant implemented in Cerro Gordo  
28 and Linn counties to utilize a comprehensive and  
29 long-term approach for helping children and families by  
30 addressing the key areas in a child's life of childhood  
31 basic needs, education and work, family, and community.

32 23. Of the funds appropriated in this section, at  
33 least ~~\$12,500~~ \$25,000 shall be used to continue and  
34 to expand the foster care respite pilot program in  
35 which postsecondary students in social work and other

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1 human services-related programs receive experience by  
2 assisting family foster care providers with respite and  
3 other support.

4 24. Of the funds appropriated in this section,  
5 ~~\$55,000~~ \$110,000 shall be used for the public purpose  
6 of funding community-based services and other supports  
7 with a system of care approach for children with a  
8 serious emotional disturbance and their families  
9 through a nonprofit provider of child welfare services  
10 that has been in existence for more than 115 years,  
11 is located in a county with a population of more  
12 than 200,000 but less than 220,000 according to the

13 latest census information issued by the United States  
 14 census bureau, is licensed as a psychiatric medical  
 15 institution for children, and was a system of care  
 16 grantee prior to July 1, 2016.

17 Sec. 17. 2015 Iowa Acts, chapter 137, section 139,  
 18 is amended to read as follows:

19 SEC. 139. ADOPTION SUBSIDY.

20 1. There is appropriated from the general fund of  
 21 the state to the department of human services for the  
 22 fiscal year beginning July 1, 2016, and ending June 30,  
 23 2017, the following amount, or so much thereof as is  
 24 necessary, to be used for the purpose designated:

25 a. For adoption subsidy payments and services:	\$	<u>21,499,143</u>
26 .....		<u>43,046,664</u>

27  
 28 b. (1) The funds appropriated in this section  
 29 shall be used as authorized or allowed by federal law  
 30 or regulation for any of the following purposes:

31 (a) For adoption subsidy payments and related  
 32 costs.

33 (b) For post-adoption services and for other  
 34 purposes under Tit. IV-B or Tit. IV-E of the federal  
 35 Social Security Act.

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1 (2) The department of human services may transfer  
 2 funds appropriated in this subsection to the  
 3 appropriation for child and family services in this Act  
 4 for the purposes of post-adoption services as specified  
 5 in this paragraph "b".

6 2. The department may transfer funds appropriated  
 7 in this section to the appropriation made in this  
 8 division of this Act for general administration for  
 9 costs paid from the appropriation relating to adoption  
 10 subsidy.

11 3. Federal funds received by the state during the  
 12 fiscal year beginning July 1, 2016, as the result of  
 13 the expenditure of state funds during a previous state  
 14 fiscal year for a service or activity funded under  
 15 this section are appropriated to the department to  
 16 be used as additional funding for the services and  
 17 activities funded under this section. Notwithstanding  
 18 section 8.33, moneys received in accordance with this  
 19 subsection that remain unencumbered or unobligated at  
 20 the close of the fiscal year shall not revert to any  
 21 fund but shall remain available for expenditure for the  
 22 purposes designated until the close of the succeeding  
 23 fiscal year.

24 Sec. 18. 2015 Iowa Acts, chapter 137, section 141,  
 25 is amended to read as follows:

26 SEC. 141. FAMILY SUPPORT SUBSIDY PROGRAM.

27 1. There is appropriated from the general fund of  
 28 the state to the department of human services for the  
 29 fiscal year beginning July 1, 2016, and ending June 30,  
 30 2017, the following amount, or so much thereof as is  
 31 necessary, to be used for the purpose designated:  
 32 For the family support subsidy program subject  
 33 to the enrollment restrictions in section 225C.37,  
 34 subsection 3:  
 35 ..... \$ 536,966

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1 ..... 1,069,282

2 2. ~~The department shall use at least \$320,750~~  
 3 ~~\$727,500~~ of the moneys appropriated in this section is  
 4 transferred to the department of public health for the  
 5 family support center component of the comprehensive  
 6 family support program under ~~section 225C.47~~ chapter  
 7 225C, subchapter V. Not more than \$12,500 of the  
 8 ~~amount allocated in this subsection shall be used for~~  
 9 ~~administrative costs.~~ The department of human services  
 10 shall submit a report to the individuals identified  
 11 in this Act for submission of reports by December  
 12 15, 2016, regarding the outcomes of the program and  
 13 recommendations for future program improvement.

14 3. If at any time during the fiscal year, the  
 15 amount of funding available for the family support  
 16 subsidy program is reduced from the amount initially  
 17 used to establish the figure for the number of family  
 18 members for whom a subsidy is to be provided at any one  
 19 time during the fiscal year, notwithstanding section  
 20 225C.38, subsection 2, the department shall revise the  
 21 figure as necessary to conform to the amount of funding  
 22 available.

23 Sec. 19. 2015 Iowa Acts, chapter 137, section 142,  
 24 is amended to read as follows:  
 25 SEC. 142. CONNER DECREE. There is appropriated  
 26 from the general fund of the state to the department of  
 27 human services for the fiscal year beginning July 1,  
 28 2016, and ending June 30, 2017, the following amount,  
 29 or so much thereof as is necessary, to be used for the  
 30 purpose designated:  
 31 For building community capacity through the  
 32 coordination and provision of training opportunities  
 33 in accordance with the consent decree of Conner v.  
 34 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):  
 35 ..... \$ 16,816

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1 33,632

2 Sec. 20. 2015 Iowa Acts, chapter 137, section 143,

3 is amended to read as follows:

4 SEC. 143. MENTAL HEALTH INSTITUTES. There is

5 appropriated from the general fund of the state to

6 the department of human services for the fiscal year

7 beginning July 1, 2016, and ending June 30, 2017, the

8 following amounts, or so much thereof as is necessary,

9 to be used for the purposes designated ~~which amounts~~

10 ~~shall not be transferred or expended for any purpose~~

11 ~~other than the purposes designated, notwithstanding~~

12 ~~section 218.6 to the contrary:~~

13 1. For operation of the state mental health

14 institute at Cherokee as required by chapters 218

15 and 226 for salaries, support, maintenance, and

16 miscellaneous purposes, and for not more than the

17 following full-time equivalent positions:

18 .....	\$	<u>2,772,808</u>
19 .....		<u>14,644,041</u>
20 .....	FTEs	169.20

21 2. For operation of the state mental health

22 institute at Independence as required by chapters

23 218 and 226 for salaries, support, maintenance, and

24 miscellaneous purposes, and for not more than the

25 following full-time equivalent positions:

26 .....	\$	<u>5,162,104</u>
27 .....		<u>18,552,103</u>
28 .....	FTEs	233.00

29 Sec. 21. 2015 Iowa Acts, chapter 137, section 144,

30 is amended to read as follows:

31 SEC. 144. STATE RESOURCE CENTERS.

32 1. There is appropriated from the general fund of

33 the state to the department of human services for the

34 fiscal year beginning July 1, 2016, and ending June 30,

35 2017, the following amounts, or so much thereof as is

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1 necessary, to be used for the purposes designated:

2 a. For the state resource center at Glenwood for

3 salaries, support, maintenance, and miscellaneous

4 purposes:

5 .....	\$	<u>10,762,241</u>
6 .....		<u>20,719,486</u>

7 b. For the state resource center at Woodward for

8 salaries, support, maintenance, and miscellaneous

9 purposes:

10 .....	\$	<u>7,201,003</u>
11 .....		<u>14,053,011</u>

12 2. The department may continue to bill for state

13 resource center services utilizing a scope of services  
 14 approach used for private providers of intermediate  
 15 care facilities for persons with an intellectual  
 16 disability services, in a manner which does not shift  
 17 costs between the medical assistance program, counties,  
 18 or other sources of funding for the state resource  
 19 centers.

20 3. The state resource centers may expand the  
 21 time-limited assessment and respite services during the  
 22 fiscal year.

23 4. If the department's administration and the  
 24 department of management concur with a finding by a  
 25 state resource center's superintendent that projected  
 26 revenues can reasonably be expected to pay the salary  
 27 and support costs for a new employee position, or  
 28 that such costs for adding a particular number of new  
 29 positions for the fiscal year would be less than the  
 30 overtime costs if new positions would not be added, the  
 31 superintendent may add the new position or positions.  
 32 If the vacant positions available to a resource center  
 33 do not include the position classification desired to  
 34 be filled, the state resource center's superintendent  
 35 may reclassify any vacant position as necessary to

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1 fill the desired position. The superintendents of the  
 2 state resource centers may, by mutual agreement, pool  
 3 vacant positions and position classifications during  
 4 the course of the fiscal year in order to assist one  
 5 another in filling necessary positions.

6 5. If existing capacity limitations are reached  
 7 in operating units, a waiting list is in effect  
 8 for a service or a special need for which a payment  
 9 source or other funding is available for the service  
 10 or to address the special need, and facilities for  
 11 the service or to address the special need can be  
 12 provided within the available payment source or other  
 13 funding, the superintendent of a state resource center  
 14 may authorize opening not more than two units or  
 15 other facilities and begin implementing the service  
 16 or addressing the special need during fiscal year  
 17 2016–2017.

18 Sec. 22. 2015 Iowa Acts, chapter 137, section 145,  
 19 is amended to read as follows:

20 **SEC. 145. SEXUALLY VIOLENT PREDATORS.**

21 1. There is appropriated from the general fund of  
 22 the state to the department of human services for the  
 23 fiscal year beginning July 1, 2016, and ending June 30,  
 24 2017, the following amount, or so much thereof as is  
 25 necessary, to be used for the purpose designated:

26 For costs associated with the commitment and

27 treatment of sexually violent predators in the unit  
 28 located at the state mental health institute at  
 29 Cherokee, including costs of legal services and  
 30 other associated costs, including salaries, support,  
 31 maintenance, and miscellaneous purposes, and for not  
 32 more than the following full-time equivalent positions:  
 33 ..... \$ 4,046,530  
 34 10,193,079  
 35 ..... FTEs 132.50

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1 2. Unless specifically prohibited by law, if the  
 2 amount charged provides for recoupment of at least  
 3 the entire amount of direct and indirect costs, the  
 4 department of human services may contract with other  
 5 states to provide care and treatment of persons placed  
 6 by the other states at the unit for sexually violent  
 7 predators at Cherokee. The moneys received under such  
 8 a contract shall be considered to be repayment receipts  
 9 and used for the purposes of the appropriation made in  
 10 this section.

11 Sec. 23. 2015 Iowa Acts, chapter 137, section 146,  
 12 is amended to read as follows:

13 SEC. 146. FIELD OPERATIONS. There is appropriated  
 14 from the general fund of the state to the department of  
 15 human services for the fiscal year beginning July 1,  
 16 2016, and ending June 30, 2017, the following amount,  
 17 or so much thereof as is necessary, to be used for the  
 18 purposes designated:

19 For field operations, including salaries, support,  
 20 maintenance, and miscellaneous purposes, and for not  
 21 more than the following full-time equivalent positions:  
 22 ..... \$ ~~29,460,488~~  
 23 54,442,877  
 24 ..... FTEs 1,837.00

25 2. Priority in filling full-time equivalent  
 26 positions shall be given to those positions related to  
 27 child protection services and eligibility determination  
 28 for low-income families.

29 Sec. 24. 2015 Iowa Acts, chapter 137, section 147,  
 30 is amended to read as follows:

31 SEC. 147. GENERAL ADMINISTRATION. There is  
 32 appropriated from the general fund of the state to  
 33 the department of human services for the fiscal year  
 34 beginning July 1, 2016, and ending June 30, 2017, the  
 35 following amount, or so much thereof as is necessary,

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1 to be used for the purpose designated:

2 For general administration, including salaries,  
3 support, maintenance, and miscellaneous purposes, and  
4 for not more than the following full-time equivalent  
5 positions:

6 .....	\$	7,449,099
7 .....		<u>15,673,198</u>
8 .....	FTEs	309.00

9 2. Of the funds appropriated in this section,  
10 ~~\$75,000~~ \$150,000 shall be used to continue the contract  
11 for the provision of a program to provide technical  
12 assistance, support, and consultation to providers of  
13 habilitation services and home and community-based  
14 services waiver services for adults with disabilities  
15 under the medical assistance program.

16 3. Of the funds appropriated in this section,  
17 ~~\$25,000~~ \$50,000 is transferred to the Iowa finance  
18 authority to be used for administrative support of the  
19 council on homelessness established in section 16.2D  
20 and for the council to fulfill its duties in addressing  
21 and reducing homelessness in the state.

22 4. Of the funds appropriated in this section,  
23 ~~\$125,000~~ \$250,000 shall be transferred to and deposited  
24 in the administrative fund of the Iowa ABLÉ savings  
25 plan trust created in section 12I.4, ~~if enacted in this~~  
26 ~~or any other Act~~, to be used for implementation and  
27 administration activities of the Iowa ABLÉ savings plan  
28 trust.

29 5. Of the funds appropriated in this section,  
30 \$300,000 shall be used to contract for planning grants  
31 for the development and implementation of children's  
32 mental health crisis services as provided in this Act.

33 6. Of the funds appropriated in this section,  
34 \$200,000 shall be used to continue to expand the  
35 provision of nationally accredited and recognized

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1 internet-based training to include mental health and  
2 disability services providers.

3 7. Of the funds appropriated in this section,  
4 \$300,000 is transferred to the economic development  
5 authority for the Iowa commission on volunteer services  
6 to be used for RefugeeRISE AmeriCorps program member  
7 recruitment and training to improve the economic  
8 well-being and health of economically disadvantaged  
9 refugees in local communities across Iowa. Funds  
10 transferred may be used to supplement federal funds  
11 under federal regulations.

12 Sec. 25. 2015 Iowa Acts, chapter 137, is amended by



13 adding the following new section:

14 **NEW SECTION. SEC. 147A. DEPARTMENT-WIDE**  
 15 **DUTIES.** There is appropriated from the general fund of  
 16 the state to the department of human services for the  
 17 fiscal year beginning July 1, 2016, and ending June 30,  
 18 2017, the following amount, or so much thereof as is  
 19 necessary, to be used for the purposes designated:

20 For salaries, support, maintenance, and  
 21 miscellaneous purposes at facilities under the purview  
 22 of the department of human services:  
 23 ..... \$ 2,879,274

24 Sec. 26. 2015 Iowa Acts, chapter 137, section 148,  
 25 is amended to read as follows:

26 **SEC. 148. VOLUNTEERS.** There is appropriated from  
 27 the general fund of the state to the department of  
 28 human services for the fiscal year beginning July 1,  
 29 2016, and ending June 30, 2017, the following amount,  
 30 or so much thereof as is necessary, to be used for the  
 31 purpose designated:

32 For development and coordination of volunteer  
 33 services:  
 34 ..... \$ 42,343  
 35 ..... 84,686

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1 Sec. 27. 2015 Iowa Acts, chapter 137, section 149,  
 2 is amended to read as follows:

3 **SEC. 149. MEDICAL ASSISTANCE, STATE SUPPLEMENTARY**  
 4 **ASSISTANCE, AND SOCIAL SERVICE PROVIDERS REIMBURSED**  
 5 **UNDER THE DEPARTMENT OF HUMAN SERVICES.**

6 1. a. ~~(1) For the fiscal year beginning July 1,~~  
 7 ~~2016, the total state funding amount for the nursing~~  
 8 ~~facility budget shall not exceed \$151,421,458.~~

9 ~~(2) The department, in cooperation with nursing~~  
 10 ~~facility representatives, shall review projections for~~  
 11 ~~state funding expenditures for reimbursement of nursing~~  
 12 ~~facilities on a quarterly basis and the department~~  
 13 ~~shall determine if an adjustment to the medical~~  
 14 ~~assistance reimbursement rate is necessary in order to~~  
 15 ~~provide reimbursement within the state funding amount~~  
 16 ~~for the fiscal year. Notwithstanding 2001 Iowa Acts,~~  
 17 ~~chapter 192, section 4, subsection 2, paragraph “c”,~~  
 18 ~~and subsection 3, paragraph “a”, subparagraph (2), if~~  
 19 ~~the state funding expenditures for the nursing facility~~  
 20 ~~budget for the fiscal year are projected to exceed the~~  
 21 ~~amount specified in subparagraph (1), the department~~  
 22 ~~shall adjust the reimbursement for nursing facilities~~  
 23 ~~reimbursed under the case mix reimbursement system to~~  
 24 ~~maintain expenditures of the nursing facility budget~~  
 25 ~~within the specified amount for the fiscal year.~~

26 (3) (a) For the fiscal year beginning July 1,

27 2016, case-mix, non-case mix, and special population  
28 nursing facilities shall be reimbursed in accordance  
29 with the methodology in effect on June 30, 2016.

30 (b) For managed care claims, the department of  
31 human services shall adjust the payment rate floor for  
32 nursing facilities every six months, on July 1 and  
33 January 1, to maintain a rate floor that is no lower  
34 than the Medicaid fee-for-service case-mix adjusted  
35 rate calculated in accordance with 441 IAC 81.6. The

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1 department shall then calculate adjusted reimbursement  
2 rates, including but not limited to add-on-payments,  
3 for each six-month period, and shall notify  
4 Medicaid managed care organizations of the adjusted  
5 reimbursement rates within 30 days of determining  
6 the adjusted reimbursement rates. Any adjustment of  
7 reimbursement rates under this subparagraph division  
8 shall be budget neutral to the state budget.

9 (4) For any open or unsettled nursing facility  
10 cost report for a fiscal year prior to and including  
11 the fiscal year beginning July 1, 2015, including any  
12 cost report remanded on judicial review for inclusion  
13 of prescription drug, laboratory, or x-ray costs, the  
14 department shall offset all reported prescription drug,  
15 laboratory, and x-ray costs with any revenue received  
16 from Medicare or other revenue source for any purpose.  
17 For purposes of this subparagraph, a nursing facility  
18 cost report is not considered open or unsettled if the  
19 facility did not initiate an administrative appeal  
20 under chapter 17A or if any appeal rights initiated  
21 have been exhausted.

22 b. (1) For the fiscal year beginning July 1, 2016,  
23 the department shall establish the pharmacy dispensing  
24 fee reimbursement at \$11.73 per prescription, until a  
25 cost of dispensing survey is completed. The actual  
26 dispensing fee shall be determined by a cost of  
27 dispensing survey performed by the department and  
28 required to be completed by all medical assistance  
29 program participating pharmacies every two years,  
30 adjusted as necessary to maintain expenditures within  
31 the amount appropriated to the department for this  
32 purpose for the fiscal year.

33 (2) The department shall utilize an average  
34 acquisition cost reimbursement methodology for all  
35 drugs covered under the medical assistance program in

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1 accordance with 2012 Iowa Acts, chapter 1133, section  
2 33.

3 (3) Notwithstanding subparagraph (2), if the  
4 centers for Medicare and Medicaid services of the  
5 United States department of health and human services  
6 (CMS) requires, as a condition of federal Medicaid  
7 funding, that the department implement an aggregate  
8 federal upper limit (FUL) for drug reimbursement  
9 based on the average manufacturer's price (AMP), the  
10 department may utilize a reimbursement methodology for  
11 all drugs covered under the Medicaid program based on  
12 the national average drug acquisition cost (NADAC)  
13 methodology published by CMS, in order to assure  
14 compliance with the aggregate FUL, minimize outcomes  
15 of drug reimbursements below pharmacy acquisition  
16 costs, limit administrative costs, and minimize any  
17 change in the aggregate reimbursement for drugs. The  
18 department may adopt emergency rules to implement this  
19 subparagraph.

20 c. (1) For the fiscal year beginning July 1, 2016,  
21 reimbursement rates for outpatient hospital services  
22 shall remain at the rates in effect on June 30, 2016,  
23 subject to Medicaid program upper payment limit rules,  
24 and adjusted as necessary to maintain expenditures  
25 within the amount appropriated to the department for  
26 this purpose for the fiscal year.

27 (2) For the fiscal year beginning July 1, 2016,  
28 reimbursement rates for inpatient hospital services  
29 shall remain at the rates in effect on June 30, 2016,  
30 subject to Medicaid program upper payment limit rules,  
31 and adjusted as necessary to maintain expenditures  
32 within the amount appropriated to the department for  
33 this purpose for the fiscal year.

34 (3) For the fiscal year beginning July 1, 2016,  
35 the graduate medical education and disproportionate

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1 share hospital fund shall remain at the amount in  
2 effect on June 30, 2016, except that the portion of  
3 the fund attributable to graduate medical education  
4 shall be reduced in an amount that reflects the  
5 elimination of graduate medical education payments made  
6 to out-of-state hospitals.

7 (4) In order to ensure the efficient use of limited  
8 state funds in procuring health care services for  
9 low-income Iowans, funds appropriated in this Act for  
10 hospital services shall not be used for activities  
11 which would be excluded from a determination of  
12 reasonable costs under the federal Medicare program

- 13 pursuant to 42 U.S.C. §1395x(v)(1)(N).
- 14 d. For the fiscal year beginning July 1, 2016,
- 15 reimbursement rates for ~~rural health clinics~~, hospices,
- 16 and acute mental hospitals shall be increased in
- 17 accordance with increases under the federal Medicare
- 18 program or as supported by their Medicare audited
- 19 costs.
- 20 e. For the fiscal year beginning July 1, 2016,
- 21 independent laboratories and rehabilitation agencies
- 22 shall be reimbursed using the same methodology in
- 23 effect on June 30, 2016.
- 24 f. (1) For the fiscal year beginning July 1, 2016,
- 25 reimbursement rates for home health agencies shall
- 26 continue to be based on the Medicare low utilization
- 27 payment adjustment (LUPA) methodology with state
- 28 geographic wage adjustments, and ~~updated to reflect~~
- 29 ~~the most recent Medicare LUPA rates shall be adjusted~~
- 30 to increase the rates to the extent possible within
- 31 the \$1,000,000 of state funding appropriated for this
- 32 purpose. The department shall continue to update
- 33 the rates every two years to reflect the most recent
- 34 Medicare LUPA rates.
- 35 (2) For the fiscal year beginning July 1, 2016,

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- 1 rates for private duty nursing and personal care
- 2 services under the early and periodic screening,
- 3 diagnostic, and treatment program benefit shall be
- 4 calculated based on the methodology in effect on June
- 5 30, 2016.
- 6 g. For the fiscal year beginning July 1, 2016,
- 7 federally qualified health centers and rural health
- 8 clinics shall receive cost-based reimbursement for 100
- 9 percent of the reasonable costs for the provision of
- 10 services to recipients of medical assistance.
- 11 h. For the fiscal year beginning July 1, 2016, the
- 12 reimbursement rates for dental services shall remain at
- 13 the rates in effect on June 30, 2016.
- 14 i. (1) For the fiscal year beginning July 1,
- 15 2016, state-owned psychiatric medical institutions
- 16 for children shall receive cost-based reimbursement
- 17 for 100 percent of the actual and allowable costs for
- 18 the provision of services to recipients of medical
- 19 assistance.
- 20 (2) For the nonstate-owned psychiatric medical
- 21 institutions for children, reimbursement rates shall be
- 22 based on the reimbursement methodology ~~developed by the~~
- 23 ~~Medicaid managed care contractor for behavioral health~~
- 24 ~~services as required for federal compliance in effect~~
- 25 on June 30, 2016.
- 26 (3) As a condition of participation in the medical

27 assistance program, enrolled providers shall accept the  
28 medical assistance reimbursement rate for any covered  
29 goods or services provided to recipients of medical  
30 assistance who are children under the custody of a  
31 psychiatric medical institution for children.  
32 j. For the fiscal year beginning July 1,  
33 2016, unless otherwise specified in this Act,  
34 all noninstitutional medical assistance provider  
35 reimbursement rates shall remain at the rates in effect

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1 on June 30, 2016, except for area education agencies,  
2 local education agencies, infant and toddler services  
3 providers, home and community-based services providers  
4 including consumer-directed attendant care providers  
5 under a section 1915(c) or 1915(i) waiver, targeted  
6 case management providers, and those providers whose  
7 rates are required to be determined pursuant to section  
8 249A.20.

9 k. Notwithstanding any provision to the contrary,  
10 for the fiscal year beginning July 1, 2016, the  
11 reimbursement rate for anesthesiologists shall remain  
12 at the rate in effect on June 30, 2016.

13 l. Notwithstanding section 249A.20, for the fiscal  
14 year beginning July 1, 2016, the average reimbursement  
15 rate for health care providers eligible for use of the  
16 federal Medicare resource-based relative value scale  
17 reimbursement methodology under section 249A.20 shall  
18 remain at the rate in effect on June 30, 2016; however,  
19 this rate shall not exceed the maximum level authorized  
20 by the federal government.

21 m. For the fiscal year beginning July 1, 2016, the  
22 reimbursement rate for residential care facilities  
23 shall not be less than the minimum payment level as  
24 established by the federal government to meet the  
25 federally mandated maintenance of effort requirement.  
26 The flat reimbursement rate for facilities electing not  
27 to file annual cost reports shall not be less than the  
28 minimum payment level as established by the federal  
29 government to meet the federally mandated maintenance  
30 of effort requirement.

31 n. For the fiscal year beginning July 1, 2016,  
32 the reimbursement rates for inpatient mental health  
33 services provided at hospitals shall remain at the  
34 rates in effect on June 30, 2016, subject to Medicaid  
35 program upper payment limit rules; and psychiatrists

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1 shall be reimbursed at the medical assistance program  
2 fee-for-service rate in effect on June 30, 2016.

3 o. For the fiscal year beginning July 1, 2016,  
4 community mental health centers may choose to be  
5 reimbursed for the services provided to recipients of  
6 medical assistance through either of the following  
7 options:

8 (1) For 100 percent of the reasonable costs of the  
9 services.

10 (2) In accordance with the alternative  
11 reimbursement rate methodology ~~established by the~~  
12 ~~medical assistance program's managed care contractor~~  
13 ~~for mental health services and approved by the~~  
14 ~~department of human services in effect on June 30,~~  
15 2016.

16 p. For the fiscal year beginning July 1, 2016, the  
17 reimbursement rate for providers of family planning  
18 services that are eligible to receive a 90 percent  
19 federal match shall remain at the rates in effect on  
20 June 30, 2016.

21 q. For the fiscal year beginning July 1, 2016, the  
22 upper limits ~~on~~ and reimbursement rates for providers  
23 of home and community-based services waiver services  
24 ~~shall remain at the limits in effect on June 30,~~  
25 ~~2016 for which the rate floor is based on the average~~  
26 aggregate reimbursement rate for the fiscal year  
27 beginning July 1, 2014, shall be determined as follows:

28 (1) For fee-for-service claims, the reimbursement  
29 rate shall be increased by 1 percent over the rates in  
30 effect on June 30, 2016.

31 (2) For managed care claims, the reimbursement rate  
32 floor shall be increased by 1 percent over the rate  
33 floor in effect on April 1, 2016.

34 r. For the fiscal year beginning July 1, 2016,  
35 the reimbursement rates for emergency medical service

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1 providers shall remain at the rates in effect on June  
2 30, 2016.

3 2. For the fiscal year beginning July 1, 2016, the  
4 reimbursement rate for providers reimbursed under the  
5 in-home-related care program shall not be less than the  
6 minimum payment level as established by the federal  
7 government to meet the federally mandated maintenance  
8 of effort requirement.

9 3. Unless otherwise directed in this section, when  
10 the department's reimbursement methodology for any  
11 provider reimbursed in accordance with this section  
12 includes an inflation factor, this factor shall not

13 exceed the amount by which the consumer price index for  
14 all urban consumers increased during the calendar year  
15 ending December 31, 2002.

16 4. ~~For~~ Notwithstanding section 234.38, for the  
17 fiscal year beginning July 1, 2016, the foster family  
18 basic daily maintenance rate and the maximum adoption  
19 subsidy rate for children ages 0 through 5 years shall  
20 be \$16.78, the rate for children ages 6 through 11  
21 years shall be \$17.45, the rate for children ages 12  
22 through 15 years shall be \$19.10, and the rate for  
23 children and young adults ages 16 and older shall  
24 be \$19.35. For youth ages 18 to 21 who have exited  
25 foster care, the preparation for adult living program  
26 maintenance rate shall be \$602.70 per month. The  
27 maximum payment for adoption subsidy nonrecurring  
28 expenses shall be limited to \$500 and the disallowance  
29 of additional amounts for court costs and other related  
30 legal expenses implemented pursuant to 2010 Iowa Acts,  
31 chapter 1031, section 408, shall be continued.

32 5. For the fiscal year beginning July 1, 2016,  
33 the maximum reimbursement rates for social services  
34 providers under contract shall remain at the rates  
35 in effect on June 30, 2016, or the provider's actual

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1 and allowable cost plus inflation for each service,  
2 whichever is less. However, if a new service or  
3 service provider is added after June 30, 2016, the  
4 initial reimbursement rate for the service or provider  
5 shall be based upon a weighted average of provider  
6 rates for similar services.

7 6. For the fiscal year beginning July 1, 2016, the  
8 reimbursement rates for resource family recruitment and  
9 retention contractors, child welfare emergency services  
10 contractors, and supervised apartment living foster  
11 care providers shall remain at the rates in effect on  
12 June 30, 2016.

13 7. a. For the purposes of this subsection,  
14 "combined reimbursement rate" means the combined  
15 service and maintenance reimbursement rate for a  
16 service level under the department's reimbursement  
17 methodology. Effective July 1, 2016, the combined  
18 reimbursement rate for a group foster care service  
19 level shall be the amount designated in this  
20 subsection. However, if a group foster care provider's  
21 reimbursement rate for a service level as of June  
22 30, 2016, is more than the rate designated in this  
23 subsection, the provider's reimbursement shall remain  
24 at the higher rate.

25 b. Unless a group foster care provider is subject  
26 to the exception provided in paragraph "a", effective

27 July 1, 2016, the combined reimbursement rates for the  
 28 service levels under the department's reimbursement  
 29 methodology shall be as follows:  
 30 (1) For service level, community - D1, the daily  
 31 rate shall be at least \$84.17.  
 32 (2) For service level, comprehensive - D2, the  
 33 daily rate shall be at least \$119.09.  
 34 (3) For service level, enhanced - D3, the daily  
 35 rate shall be at least \$131.09.

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1 8. The group foster care reimbursement rates  
 2 paid for placement of children out of state shall  
 3 be calculated according to the same rate-setting  
 4 principles as those used for in-state providers,  
 5 unless the director of human services or the director's  
 6 designee determines that appropriate care cannot be  
 7 provided within the state. The payment of the daily  
 8 rate shall be based on the number of days in the  
 9 calendar month in which service is provided.  
 10 9. a. For the fiscal year beginning July 1, 2016,  
 11 the reimbursement rate paid for shelter care and  
 12 the child welfare emergency services implemented to  
 13 provide or prevent the need for shelter care shall be  
 14 established by contract.  
 15 b. For the fiscal year beginning July 1, 2016,  
 16 the combined service and maintenance components of  
 17 the reimbursement rate paid for shelter care services  
 18 shall be based on the financial and statistical report  
 19 submitted to the department. The maximum reimbursement  
 20 rate shall be \$101.83 per day. The department shall  
 21 reimburse a shelter care provider at the provider's  
 22 actual and allowable unit cost, plus inflation, not to  
 23 exceed the maximum reimbursement rate.  
 24 c. Notwithstanding section 232.141, subsection 8,  
 25 for the fiscal year beginning July 1, 2016, the amount  
 26 of the statewide average of the actual and allowable  
 27 rates for reimbursement of juvenile shelter care homes  
 28 that is utilized for the limitation on recovery of  
 29 unpaid costs shall remain at the amount in effect for  
 30 this purpose in the fiscal year beginning July 1, 2015.  
 31 10. For the fiscal year beginning July 1, 2016,  
 32 ~~the department shall calculate reimbursement rates~~  
 33 ~~for intermediate care facilities for persons with~~  
 34 ~~an intellectual disability at the 80th percentile.~~  
 35 ~~Beginning July 1, 2016, the rate calculation~~



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1 ~~methodology shall utilize~~ shall remain at the rates in  
 2 effect on June 30, 2016, as adjusted by the consumer  
 3 price index inflation factor applicable to the fiscal  
 4 year beginning July 1, 2016.

5 11. For the fiscal year beginning July 1, 2016,  
 6 for child care providers reimbursed under the state  
 7 child care assistance program, the department shall  
 8 set provider reimbursement rates based on the rate  
 9 reimbursement survey completed in December 2004.  
 10 Effective July 1, 2016, the child care provider  
 11 reimbursement rates shall remain at the rates in effect  
 12 on June 30, 2016. The department shall set rates in a  
 13 manner so as to provide incentives for a nonregistered  
 14 provider to become registered by applying the increase  
 15 only to registered and licensed providers.

16 11A. For the fiscal year beginning July 1, 2016,  
 17 with the exception of any provider or service to which  
 18 a reimbursement increase is applicable for the fiscal  
 19 year under this section, notwithstanding any provision  
 20 to the contrary under this section, affected providers  
 21 or services shall instead be reimbursed as follows:

22 a. For fee-for-service claims, reimbursement  
 23 shall be calculated based on the methodology otherwise  
 24 specified in this section for the fiscal year beginning  
 25 July 1, 2016, for the respective provider or service.

26 b. For claims subject to a managed care contract,  
 27 reimbursement shall be based on the methodology  
 28 established by the managed care contract. However, any  
 29 reimbursement established under such contract shall not  
 30 be lower than the rate floor approved by the department  
 31 of human services as the managed care organization  
 32 provider reimbursement rate floor for the respective  
 33 provider or service, in effect on April 1, 2016.

34 13. The department may adopt emergency rules to  
 35 implement this section.

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1 Sec. 28. 2015 Iowa Acts, chapter 137, is amended by  
 2 adding the following new section:  
 3 NEW SECTION. SEC. 151A. TRANSFER OF MEDICAID  
 4 MODERNIZATION SAVINGS BETWEEN APPROPRIATIONS FY  
 5 2016–2017. Notwithstanding section 8.39, subsection 1,  
 6 for the fiscal year beginning July 1, 2016, if savings  
 7 resulting from the governor's Medicaid modernization  
 8 initiative accrue to the medical contracts or  
 9 children's health insurance program appropriation from  
 10 the general fund of the state and not to the medical  
 11 assistance appropriation from the general fund of the  
 12 state under this division of this Act, such savings may

13 be transferred to such medical assistance appropriation  
14 for the same fiscal year without prior written consent  
15 and approval of the governor and the director of the  
16 department of management. The department of human  
17 services shall report any transfers made pursuant to  
18 this section to the legislative services agency.

19 DIVISION VI

20 HEALTH CARE ACCOUNTS AND FUNDS — FY 2016–2017

21 Sec. 29. 2015 Iowa Acts, chapter 137, section 152,  
22 is amended to read as follows:

23 SEC. 152. PHARMACEUTICAL SETTLEMENT ACCOUNT. There  
24 is appropriated from the pharmaceutical settlement  
25 account created in section 249A.33 to the department of  
26 human services for the fiscal year beginning July 1,  
27 2016, and ending June 30, 2017, the following amount,  
28 or so much thereof as is necessary, to be used for the  
29 purpose designated:

30 Notwithstanding any provision of law to the  
31 contrary, to supplement the appropriations made in this  
32 Act for medical contracts under the medical assistance  
33 program for the fiscal year beginning July 1, 2016, and  
34 ending June 30, 2017:

35 ..... \$ 1,001,088

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1 1,300,000

2 Sec. 30. 2015 Iowa Acts, chapter 137, section 153,  
3 is amended to read as follows:

4 SEC. 153. QUALITY ASSURANCE TRUST FUND —  
5 DEPARTMENT OF HUMAN SERVICES. Notwithstanding  
6 any provision to the contrary and subject to the  
7 availability of funds, there is appropriated from the  
8 quality assurance trust fund created in section 249L.4  
9 to the department of human services for the fiscal year  
10 beginning July 1, 2016, and ending June 30, 2017, the  
11 following amounts, or so much thereof as is necessary,  
12 for the purposes designated:

13 To supplement the appropriation made in this Act  
14 from the general fund of the state to the department  
15 of human services for medical assistance for the same  
16 fiscal year:

17 ..... \$ 18,602,604  
18 36,705,208

19 Sec. 31. 2015 Iowa Acts, chapter 137, section 154,  
20 is amended to read as follows:

21 SEC. 154. HOSPITAL HEALTH CARE ACCESS TRUST FUND  
22 — DEPARTMENT OF HUMAN SERVICES. Notwithstanding  
23 any provision to the contrary and subject to the  
24 availability of funds, there is appropriated from  
25 the hospital health care access trust fund created in  
26 section 249M.4 to the department of human services for

27 the fiscal year beginning July 1, 2016, and ending June  
 28 30, 2017, the following amounts, or so much thereof as  
 29 is necessary, for the purposes designated:

30 To supplement the appropriation made in this Act  
 31 from the general fund of the state to the department  
 32 of human services for medical assistance for the same  
 33 fiscal year:  
 34 ..... \$ 17,350,000  
 35 ..... 34,700,000

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1 DIVISION VII  
 2 PROPERTY TAX RELIEF FUND BLOCK GRANT MONEY — FY  
 3 2016–2017  
 4 Sec. 32. 2015 Iowa Acts, chapter 137, section 157,  
 5 is amended to read as follows:  
 6 SEC. 157. PROPERTY TAX RELIEF FUND BLOCK GRANT  
 7 MONEYS. The moneys transferred to the property tax  
 8 relief fund for the fiscal year beginning July 1, ~~2015~~  
 9 2016, from the federal social services block grant  
 10 pursuant to 2015 Iowa Acts, House File 630, ~~and from~~  
 11 ~~the federal temporary assistance for needy families~~  
 12 ~~block grant~~, totaling at least ~~\$11,774,275~~ 7,456,296,  
 13 are appropriated to the department of human services  
 14 for the fiscal year beginning July 1, ~~2015~~ 2016, and  
 15 ending June 30, ~~2016~~ 2017, to be used for the purposes  
 16 designated, notwithstanding any provision of law to the  
 17 contrary:  
 18 1. ~~For distribution to any mental health and~~  
 19 ~~disability services region where 25 percent of the~~  
 20 ~~region's projected expenditures exceeds the region's~~  
 21 ~~projected fund balance:~~  
 22 ..... \$ ~~480,000~~  
 23 a. For purposes of this subsection:  
 24 (1) ~~“Available funds” means a county mental health~~  
 25 ~~and services fund balance on June 30, 2015, plus the~~  
 26 ~~maximum amount a county was allowed to levy for the~~  
 27 ~~fiscal year beginning July 1, 2015.~~  
 28 (2) ~~“Projected expenditures” means the actual~~  
 29 ~~expenditures of a mental health and disability services~~  
 30 ~~region as of June 30, 2015, multiplied by an annual~~  
 31 ~~inflation rate of 2 percent plus the projected costs~~  
 32 ~~for new core services administered by the region~~  
 33 ~~as provided in a region's regional service system~~  
 34 ~~management plan approved pursuant to section 331.303~~  
 35 ~~for the fiscal year beginning July 1, 2015.~~

1 ~~(3) "Projected fund balance" means the difference~~  
 2 ~~between a mental health and disability services~~  
 3 ~~region's available funds and projected expenditures.~~  
 4 ~~b. If sufficient funds are not available to~~  
 5 ~~implement this subsection, the department of human~~  
 6 ~~services shall distribute funds to a region in~~  
 7 ~~proportion to the availability of funds.~~  
 8 2. To be transferred to the appropriation in this  
 9 Act for child and family services for the fiscal year  
 10 beginning July 1, 2016, to be used for the purpose of  
 11 that appropriation:  
 12 ..... \$ 5,407,137  
 13 6,880,223

DIVISION VIII

15 PRIOR YEAR APPROPRIATIONS AND OTHER PROVISIONS  
 16 FAMILY INVESTMENT PROGRAM ACCOUNT FY 2015–2016  
 17 Sec. 33. 2015 Iowa Acts, chapter 137, section  
 18 7, subsection 4, paragraph e, is amended to read as  
 19 follows:

20 e. For the JOBS program:  
 21 ..... \$ 17,540,398  
 22 17,140,398  
 23 FAMILY INVESTMENT PROGRAM GENERAL FUND FY 2015–2016  
 24 Sec. 34. 2015 Iowa Acts, chapter 137, section 8,  
 25 unnumbered paragraph 2, is amended to read as follows:  
 26 To be credited to the family investment program  
 27 (FIP) account and used for family investment program  
 28 assistance under chapter 239B:  
 29 ..... \$ 48,673,875  
 30 44,773,875

31 Sec. 35. 2015 Iowa Acts, chapter 137, section 8,  
 32 subsection 1, is amended to read as follows:

33 1. Of the funds appropriated in this section,  
 34 ~~\$7,402,220~~ \$7,002,220 is allocated for the JOBS  
 35 program.

1 MEDICAL ASSISTANCE APPROPRIATION — FY 2015–2016  
 2 Sec. 36. 2015 Iowa Acts, chapter 137, section 12,  
 3 unnumbered paragraph 2, is amended to read as follows:  
 4 For medical assistance program reimbursement and  
 5 associated costs as specifically provided in the  
 6 reimbursement methodologies in effect on June 30,  
 7 2015, except as otherwise expressly authorized by  
 8 law, consistent with options under federal law and  
 9 regulations, and contingent upon receipt of approval  
 10 from the office of the governor of reimbursement for  
 11 each abortion performed under the program:  
 12 ..... \$ 1,303,101,564

13 1,318,191,564

14 MODERNIZATION EMERGENCY RULES FY 2015–2016

15 Sec. 37. 2015 Iowa Acts, chapter 137, section 12,

16 subsection 24, is amended to read as follows:

17 ~~24. The department of human services may adopt~~

18 ~~emergency rules as necessary to implement the~~

19 ~~governor's Medicaid modernization initiative beginning~~

20 ~~January 1, 2016.~~

21 STATE SUPPLEMENTARY ASSISTANCE FY 2015–2016

22 Sec. 38. 2015 Iowa Acts, chapter 137, section 14,

23 unnumbered paragraph 2, is amended to read as follows:

24 For the state supplementary assistance program:

25 ..... \$ 12,097,187

26 11,897,187

27 AUTISM SUPPORT PROGRAM FUND FY 2015–2016

28 Sec. 39. 2015 Iowa Acts, chapter 137, section 13,

29 subsection 5, unnumbered paragraph 1, is amended to

30 read as follows:

31 Of the funds appropriated in this section,

32 \$2,000,000 shall be credited to the autism support

33 program fund created in section 225D.2 to be used for

34 the autism support program created in chapter 225D,

35 with the exception of the following amounts of this

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1 allocation which shall be used as follows:

2 CHILD CARE ASSISTANCE FY 2015-2016

3 Sec. 40. 2015 Iowa Acts, chapter 137, section 16,

4 unnumbered paragraph 2, is amended to read as follows:

5 For child care programs:

6 ..... \$ 51,408,668

7 41,408,668

8 Sec. 41. 2015 Iowa Acts, chapter 137, section 16,

9 subsection 1, is amended to read as follows:

10 1. Of the funds appropriated in this section,

11 ~~\$43,689,241~~ \$33,689,241 shall be used for state child

12 care assistance in accordance with section 237A.13.

13 Sec. 42. 2015 Iowa Acts, chapter 137, section 16,

14 subsection 9, is amended to read as follows:

15 9. Notwithstanding section 8.33, moneys ~~advanced~~

16 ~~for purposes of the programs developed by early~~

17 ~~childhood Iowa areas, advanced for purposes of~~

18 ~~wraparound child care, appropriated in this section~~

19 or received from the federal appropriations made for

20 the purposes of this section that remain unencumbered

21 or unobligated at the close of the fiscal year shall

22 not revert to any fund but shall remain available for

23 expenditure for the purposes designated until the close

24 of the succeeding fiscal year.

25 NURSING FACILITY BUDGET FY 2015–2016

26 Sec. 43. 2015 Iowa Acts, chapter 137, section 29,

27 subsection 1, paragraph a, subparagraph (1), is amended  
28 to read as follows:

29 (1) For the fiscal year beginning July 1, 2015, the  
30 total state funding amount for the nursing facility  
31 budget shall not exceed ~~\$151,421,158~~ \$227,131,737.

32 Sec. 44. EFFECTIVE UPON ENACTMENT. This division  
33 of this Act, being deemed of immediate importance,  
34 takes effect upon enactment.

35 Sec. 45. RETROACTIVE APPLICABILITY. This division

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1 of this Act is retroactively applicable to July 1,  
2 2015.

### 3 DIVISION IX

#### 4 DECATEGORIZATION

5 Sec. 46. DECATEGORIZATION CARRYOVER FUNDING —  
6 TRANSFER TO MEDICAID PROGRAM. Notwithstanding section  
7 232.188, subsection 5, paragraph “b”, any state  
8 appropriated moneys in the funding pool that remained  
9 unencumbered or unobligated at the close of the fiscal  
10 year beginning July 1, 2013, and were deemed carryover  
11 funding to remain available for the two succeeding  
12 fiscal years that still remain unencumbered or  
13 unobligated at the close of the fiscal year beginning  
14 July 1, 2015, shall not revert but shall be transferred  
15 to the medical assistance program for the fiscal year  
16 beginning July 1, 2015.

17 Sec. 47. EFFECTIVE UPON ENACTMENT. This division  
18 of this Act, being deemed of immediate importance,  
19 takes effect upon enactment.

20 Sec. 48. RETROACTIVE APPLICABILITY. This division  
21 of this Act is retroactively applicable to July 1,  
22 2015.

### 23 DIVISION X

#### 24 CODE CHANGES

25 LOCAL OFFICES OF SUBSTITUTE DECISION MAKER

26 Sec. 49. Section 231E.4, subsection 3, paragraph a,  
27 Code 2016, is amended to read as follows:

28 a. Select persons through a request for proposals  
29 process to establish local offices of substitute  
30 decision maker in each of the planning and service  
31 areas. Local offices shall be established statewide on  
32 or before July 1, ~~2017~~ 2018.

33 INSTITUTIONS FOR PERSONS WITH AN INTELLECTUAL  
34 DISABILITY — ASSESSMENT

35 Sec. 50. Section 222.60A, Code 2016, is amended to

Page 89

1 read as follows:

2 **222.60A Cost of assessment.**

3 Notwithstanding any provision of this chapter to the  
4 contrary, any amount attributable to any ~~fee assessed~~  
5 assessment pursuant to section 249A.21 that would  
6 otherwise be the liability of any county shall be paid  
7 by the state. The department may transfer funds from  
8 the appropriation for medical assistance to pay any  
9 amount attributable to any ~~fee assessed~~ assessment  
10 pursuant to section 249A.21 that is a liability of the  
11 state.

12 Sec. 51. Section 249A.12, subsection 3, paragraph  
13 c, Code 2016, is amended to read as follows:

14 c. ~~Effective February 1, 2002, the~~ The state shall  
15 be responsible for all of the nonfederal share of the  
16 costs of intermediate care facility for persons with  
17 an intellectual disability services provided under  
18 medical assistance attributable to the assessment ~~fee~~  
19 for intermediate care facilities for individuals with  
20 an intellectual disability imposed pursuant to section  
21 249A.21. ~~Effective February 1, 2003, a~~ A county is not  
22 required to reimburse the department and shall not be  
23 billed for the nonfederal share of the costs of such  
24 services attributable to the assessment ~~fee~~.

25 Sec. 52. Section 249A.21, Code 2016, is amended to  
26 read as follows:

27 **249A.21 Intermediate care facilities for persons**  
28 **with an intellectual disability — assessment.**

29 1. ~~The department may assess~~ An intermediate care  
30 ~~facilities~~ facility for persons with an intellectual  
31 disability, as defined in section 135C.1, ~~a fee in~~  
32 shall be assessed an amount for the preceding calendar  
33 quarter, not to exceed six percent of the total annual  
34 revenue of the facility for the preceding fiscal year.

35 2. The assessment shall be paid by each

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1 intermediate care facility for persons with an  
2 intellectual disability to the department ~~in equal~~  
3 ~~monthly amounts on or before the fifteenth day of each~~  
4 ~~month on a quarterly basis. The department may deduct~~  
5 ~~the monthly amount from medical assistance payments~~  
6 ~~to a facility described in subsection 1. The amount~~  
7 ~~deducted from payments shall not exceed the total~~  
8 ~~amount of the assessments due~~ An intermediate care  
9 facility for persons with an intellectual disability  
10 shall submit the assessment amount no later than thirty  
11 days following the end of each calendar quarter.  
12 3. ~~Revenue from the assessments shall be credited~~

13 The department shall collect the assessment imposed  
 14 and shall credit all revenues collected to the state  
 15 medical assistance appropriation. This revenue may  
 16 be used only for services for which federal financial  
 17 participation under the medical assistance program is  
 18 available to match state funds.

19 4. If the department determines that an  
 20 intermediate care facility for persons with an  
 21 intellectual disability has underpaid or overpaid  
 22 the assessment, the department shall notify the  
 23 intermediate care facility for persons with an  
 24 intellectual disability of the amount of the unpaid  
 25 assessment or refund due. Such payment or refund shall  
 26 be due or refunded within thirty days of the issuance  
 27 of the notice.

28 5. An intermediate care facility for persons  
 29 with an intellectual disability that fails to pay the  
 30 assessment within the time frame specified in this  
 31 section shall pay, in addition to the outstanding  
 32 assessment, a penalty in the amount of one and  
 33 five-tenths percent of the assessment amount owed for  
 34 each month or portion of each month the payment is  
 35 overdue. However, if the department determines that

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1 good cause is shown for failure to comply with payment  
 2 of the assessment, the department shall waive the  
 3 penalty or a portion of the penalty.

4 6. If an assessment has not been received by the  
 5 department by the last day of the third month after the  
 6 payment is due, the department shall suspend payment  
 7 due the intermediate care facility for persons with an  
 8 intellectual disability under the medical assistance  
 9 program including payments made on behalf of the  
 10 medical assistance program by a Medicaid managed care  
 11 contractor.

12 7. The assessment imposed under this section  
 13 constitutes a debt due and owing the state and may be  
 14 collected by civil action, including but not limited to  
 15 the filing of tax liens, and any other method provided  
 16 for by law.

17 8. If federal financial participation to match the  
 18 assessments made under subsection 1 becomes unavailable  
 19 under federal law, the department shall terminate the  
 20 imposing of the assessments beginning on the date that  
 21 the federal statutory, regulatory, or interpretive  
 22 change takes effect.

23 ~~5.~~ 9. The department of human services may procure  
 24 a sole source contract to implement the provisions of  
 25 this section.

26 ~~6.~~ 10. The department may adopt administrative



27 rules under section 17A.4, subsection 3, and section  
28 17A.5, subsection 2, paragraph "b", to implement this  
29 section, and any fee assessed pursuant to this section  
30 against an intermediate care facility for persons with  
31 an intellectual disability that is operated by the  
32 state may be made retroactive to October 1, 2003.

## DIVISION XI

## HOSPITAL HEALTH CARE ACCESS ASSESSMENT

34 Sec. 53. Section 249M.5, Code 2016, is amended to

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1 read as follows:

2 **249M.5 Future repeal.**

3 This chapter is repealed ~~June 30, 2016~~ July 1, 2017.

4 Sec. 54. REVIEW OF ALTERNATIVE ASSESSMENT  
5 METHODOLOGY. The department of human services shall  
6 explore alternative hospital health care access  
7 assessment methodologies and shall make recommendations  
8 to the governor and the general assembly by December  
9 15, 2016, regarding continuation of the hospital  
10 health care access assessment program beyond July 1,  
11 2017, and an alternative assessment methodology. Any  
12 continuation of the program and assessment methodology  
13 shall meet all of the following guidelines:

14 1. All funds generated by the assessment shall  
15 be returned to participating hospitals in the form of  
16 higher Medicaid payments.

17 2. Continuation of the program and any new  
18 assessment methodology shall be subject to any required  
19 federal approval.

20 3. Any new assessment methodology shall minimize  
21 the negative financial impact on participating  
22 hospitals to the greatest extent possible.

23 4. Any new assessment methodology shall result in  
24 at least the same if not a greater aggregate financial  
25 benefit to participating hospitals compared with the  
26 benefit existing under the program prior to July 1,  
27 2016.

28 5. Only participating hospitals subject to  
29 imposition of the assessment shall receive a financial  
30 return from the program.

31 6. Any continuation of the program shall include a  
32 means of tracking the financial return to individual  
33 participating hospitals.

34 7. Any quality metrics utilized by the program,  
35 if continued, shall align with similar metrics being

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1 used under Medicare and the state innovation model  
2 initiative process.

3 8. Any new assessment methodology shall incorporate  
4 a recognition of the increased costs attributable to  
5 care and services such as inpatient psychiatric care,  
6 rehabilitation services, and neonatal intensive care  
7 units.

8 9. Any continuation of the program shall include  
9 oversight and review by the hospital health care  
10 access trust fund board created in section 249M.4  
11 and representatives of participating hospitals to  
12 ensure appropriate administration and to provide  
13 recommendations for future modifications.

14 Sec. 55. EFFECTIVE UPON ENACTMENT. This division  
15 of this Act, being deemed of immediate importance,  
16 takes effect upon enactment.

17 Sec. 56. RETROACTIVE APPLICABILITY. The section of  
18 this division of this Act amending section 249M.5, Code  
19 2016, is retroactively applicable to June 30, 2016.

#### 20 DIVISION XII

#### 21 AUTISM SUPPORT PROGRAM

22 Sec. 57. Section 135.181, subsections 1 and 2, Code  
23 2016, are amended to read as follows:

24 1. The department shall establish a board-certified  
25 behavior analyst and board-certified assistant behavior  
26 analyst grants program to provide grants to Iowa  
27 resident and nonresident applicants who have been  
28 accepted for admission or are attending a ~~board of~~  
29 ~~regents~~ university, community college, or an accredited  
30 private institution, within or outside the state of  
31 Iowa, are enrolled in a program that is accredited and  
32 meets coursework requirements to prepare the applicant  
33 to be eligible for board certification as a behavior  
34 analyst or assistant behavior analyst, and demonstrate  
35 financial need. Priority in the awarding of a grant

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1 ~~shall be given to applicants who are residents of Iowa.~~

2 2. The department, in cooperation with the  
3 department of education, shall adopt rules pursuant  
4 to chapter 17A to establish minimum standards for  
5 applicants to be eligible for a grant that address all  
6 of the following:

7 a. Eligibility requirements for and qualifications  
8 of an applicant to receive a grant. The applicant  
9 shall agree to practice in the state of Iowa for a  
10 period of time, not to exceed four years, as specified  
11 in the contract entered into between the applicant and  
12 the department at the time the grant is awarded. In

13 addition, the applicant shall agree, as specified in  
 14 the contract, that during the contract period, the  
 15 applicant will assist in supervising an individual  
 16 working toward board certification as a behavior  
 17 analyst or assistant behavior analyst or to consult  
 18 with schools and service providers that provide  
 19 services and supports to individuals with autism.  
 20 *b.* The application process for the grant.  
 21 *c.* Criteria for preference in awarding of the  
 22 grants. Priority in the awarding of a grant shall be  
 23 given to applicants who are residents of Iowa.  
 24 *d.* Determination of the amount of a grant. The  
 25 amount of funding awarded to each applicant shall be  
 26 based on the applicant's enrollment status, the number  
 27 of applicants, and the total amount of available funds.  
 28 The total amount of funds awarded to an individual  
 29 applicant shall not exceed fifty percent of the  
 30 total costs attributable to program tuition and fees.  
 31 annually.  
 32 *e.* Use of the funds awarded. Funds awarded may be  
 33 used to offset the costs attributable to tuition and  
 34 fees for the accredited behavior analyst or assistant  
 35 behavior analyst program.

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1 Sec. 58. Section 135.181, Code 2016, is amended by  
 2 adding the following new subsection:  
 3 NEW SUBSECTION. 4. The department shall submit  
 4 a report to the governor and the general assembly no  
 5 later than January 1, annually, that includes but is  
 6 not limited to all of the following:  
 7 *a.* The number of applications received for the  
 8 immediately preceding fiscal year.  
 9 *b.* The number of applications approved and the  
 10 total amount of funding awarded in grants in the  
 11 immediately preceding fiscal year.  
 12 *c.* The cost of administering the program in the  
 13 immediately preceding fiscal year.  
 14 *d.* Recommendations for any changes to the program.  
 15 Sec. 59. Section 225D.1, subsection 8, Code 2016,  
 16 is amended to read as follows:  
 17 8. *"Eligible individual"* means a child less than  
 18 ~~nine~~ fourteen years of age who has been diagnosed with  
 19 autism based on a diagnostic assessment of autism,  
 20 is not otherwise eligible for coverage for applied  
 21 behavioral analysis treatment under the medical  
 22 assistance program, section 514C.28, or private  
 23 insurance coverage, and whose household income does not  
 24 exceed ~~four~~ five hundred percent of the federal poverty  
 25 level.  
 26 Sec. 60. Section 225D.2, subsection 2, paragraphs c

27 and d, Code 2016, are amended to read as follows:

28 c. Notwithstanding the age limitation for an  
 29 eligible individual, a provision that if an eligible  
 30 individual reaches ~~nine~~ fourteen years of age prior to  
 31 completion of the maximum applied behavioral analysis  
 32 treatment period specified in paragraph "b", the  
 33 individual may complete such treatment in accordance  
 34 with the individual's treatment plan, not to exceed the  
 35 maximum treatment period.

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1 d. A graduated schedule for cost-sharing by an  
 2 eligible individual based on a percentage of the total  
 3 benefit amount expended for the eligible individual,  
 4 annually. Cost-sharing shall be applicable to  
 5 eligible individuals with household incomes at or  
 6 above two hundred percent of the federal poverty level  
 7 in incrementally increased amounts up to a maximum  
 8 of ~~ten~~ fifteen percent. The rules shall provide  
 9 a financial hardship exemption from payment of the  
 10 cost-sharing based on criteria established by rule of  
 11 the department.

12 Sec. 61. AUTISM SUPPORT FUND — TRANSFER.  
 13 Notwithstanding section 225D.2, moneys credited to  
 14 the autism support fund that remain unexpended or  
 15 unobligated at the close of the fiscal year beginning  
 16 July 1, 2015, shall be transferred to the appropriation  
 17 in this Act for medical contracts to be used for the  
 18 purpose of that appropriation for the succeeding fiscal  
 19 year.

20 Sec. 62. EFFECTIVE DATE. The section of this  
 21 division of this Act providing for transfer of moneys  
 22 in the autism support fund that remain unexpended or  
 23 unobligated at the close of the fiscal year beginning  
 24 July 1, 2015, being deemed of immediate importance,  
 25 takes effect upon enactment.

26 Sec. 63. RETROACTIVE APPLICABILITY. The section  
 27 of this division of this Act providing for transfer  
 28 of moneys in the autism support fund that remain  
 29 unexpended or unobligated at the close of the  
 30 fiscal year beginning July 1, 2015, is retroactively  
 31 applicable to July 1, 2015.

#### 32 DIVISION XIII

#### 33 MEDICAID MANAGED CARE OVERSIGHT

#### 34 HEALTH POLICY OVERSIGHT COMMITTEE

35 Sec. 64. Section 2.45, subsection 6, Code 2016, is

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1 amended to read as follows:

2 6. The legislative health policy oversight  
 3 committee, which shall be composed of ten members of  
 4 the general assembly, consisting of five members from  
 5 each house, to be appointed by the legislative council.  
 6 The legislative health policy oversight committee  
 7 shall ~~receive updates and review data, public input and~~  
 8 ~~concerns, and make recommendations for improvements to~~  
 9 ~~and changes in law or rule regarding Medicaid managed~~  
 10 ~~care~~ meet at least four times annually to evaluate  
 11 state health policy and provide continuing oversight  
 12 for publicly funded programs, including but not limited  
 13 to all facets of the Medicaid and hawk-i programs  
 14 to, at a minimum, ensure effective and efficient  
 15 administration of these programs, address stakeholder  
 16 concerns, monitor program costs and expenditures, and  
 17 make recommendations relative to the programs.

18 Sec. 65. HEALTH POLICY OVERSIGHT COMMITTEE  
 19 — SUBJECT MATTER REVIEW FOR 2016 LEGISLATIVE  
 20 INTERIM. During the 2016 legislative interim, the  
 21 health policy oversight committee created in section  
 22 2.45 shall, as part of the committee's evaluation  
 23 of state health policy and review of all facets of  
 24 the Medicaid and hawk-i programs, review and make  
 25 recommendations regarding, at a minimum, all of the  
 26 following:

27 1. The resources and duties of the office of  
 28 long-term care ombudsman relating to the provision of  
 29 assistance to and advocacy for Medicaid recipients  
 30 to determine the designation of duties and level of  
 31 resources necessary to appropriately address the needs  
 32 of such individuals. The committee shall consider the  
 33 health consumer ombudsman alliance report submitted to  
 34 the general assembly in December 2015, as well as input  
 35 from the office of long-term care ombudsman and other

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1 entities in making recommendations.

2 2. The health benefits and health benefit  
 3 utilization management criteria for the Medicaid  
 4 and hawk-i programs to determine the sufficiency  
 5 and appropriateness of the benefits offered and the  
 6 utilization of these benefits.

7 3. Prior authorization requirements relative  
 8 to benefits provided under the Medicaid and hawk-i  
 9 programs, including but not limited to pharmacy  
 10 benefits.

11 4. Consistency and uniformity in processes,  
 12 procedures, forms, and other activities across all

13 Medicaid and hawk-i program participating insurers and  
 14 managed care organizations, including but not limited  
 15 to cost and quality reporting, credentialing, billing,  
 16 prior authorization, and critical incident reporting.

17 5. Provider network adequacy including the use of  
 18 out-of-network and out-of-state providers.

19 6. The role and interplay of other advisory and  
 20 oversight entities, including but not limited to the  
 21 medical assistance advisory council and the hawk-i  
 22 board.

23 REVIEW OF PROGRAM INTEGRITY DUTIES

24 Sec. 66. REVIEW OF PROGRAM INTEGRITY DUTIES —  
 25 WORKGROUP — REPORT.

26 1. The director of human services shall convene  
 27 a workgroup comprised of members including the  
 28 commissioner of insurance, the auditor of state, the  
 29 Medicaid director and bureau chiefs of the managed care  
 30 organization oversight and supports bureau, the Iowa  
 31 Medicaid enterprise support bureau, and the medical  
 32 and long-term services and supports bureau, and a  
 33 representative of the program integrity unit, or their  
 34 designees; and representatives of other appropriate  
 35 state agencies or other entities including but not

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1 limited to the office of the attorney general, the  
 2 office of long-term care ombudsman, and the Medicaid  
 3 fraud control unit of the investigations division  
 4 of the department of inspections and appeals. The  
 5 workgroup shall do all of the following:

6 a. Review the duties of each entity with  
 7 responsibilities relative to Medicaid program integrity  
 8 and managed care organizations; review state and  
 9 federal laws, regulations, requirements, guidance, and  
 10 policies relating to Medicaid program integrity and  
 11 managed care organizations; and review the laws of  
 12 other states relating to Medicaid program integrity  
 13 and managed care organizations. The workgroup shall  
 14 determine areas of duplication, fragmentation,  
 15 and gaps; shall identify possible integration,  
 16 collaboration and coordination of duties; and shall  
 17 determine whether existing general state Medicaid  
 18 program and fee-for-service policies, laws, and  
 19 rules are sufficient, or if changes or more specific  
 20 policies, laws, and rules are required to provide  
 21 for comprehensive and effective administration and  
 22 oversight of the Medicaid program including under the  
 23 fee-for-service and managed care methodologies.

24 b. Review historical uses of the Medicaid  
 25 fraud fund created in section 249A.50 and make  
 26 recommendations for future uses of the moneys in the

27 fund and any changes in law necessary to adequately  
28 address program integrity.  
29 c. Review medical loss ratio provisions relative  
30 to Medicaid managed care contracts and make  
31 recommendations regarding, at a minimum, requirements  
32 for the necessary collection, maintenance, retention,  
33 reporting, and sharing of data and information by  
34 Medicaid managed care organizations for effective  
35 determination of compliance, and to identify the

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1 costs and activities that should be included in the  
2 calculation of administrative costs, medical costs or  
3 benefit expenses, health quality improvement costs,  
4 and other costs and activities incidental to the  
5 determination of a medical loss ratio.  
6 d. Review the capacity of state agencies, including  
7 the need for specialized training and expertise, to  
8 address Medicaid and managed care organization program  
9 integrity and provide recommendations for the provision  
10 of necessary resources and infrastructure, including  
11 annual budget projections.  
12 e. Review the incentives and penalties applicable  
13 to violations of program integrity requirements to  
14 determine their adequacy in combating waste, fraud,  
15 abuse, and other violations that divert limited  
16 resources that would otherwise be expended to safeguard  
17 the health and welfare of Medicaid recipients, and make  
18 recommendations for necessary adjustments to improve  
19 compliance.  
20 f. Make recommendations regarding the quarterly and  
21 annual auditing of financial reports required to be  
22 performed for each Medicaid managed care organization  
23 to ensure that the activities audited provide  
24 sufficient information to the division of insurance  
25 of the department of commerce and the department  
26 of human services to ensure program integrity. The  
27 recommendations shall also address the need for  
28 additional audits or other reviews of managed care  
29 organizations.  
30 g. Review and make recommendations to prohibit  
31 cost-shifting between state and local and public and  
32 private funding sources for services and supports  
33 provided to Medicaid recipients whether directly or  
34 indirectly through the Medicaid program.  
35 2. The department of human services shall submit

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1 a report of the workgroup to the governor, the health  
 2 policy oversight committee created in section 2.45,  
 3 and the general assembly initially, on or before  
 4 November 15, 2016, and on or before November 15,  
 5 on an annual basis thereafter, to provide findings  
 6 and recommendations for a coordinated approach  
 7 to comprehensive and effective administration and  
 8 oversight of the Medicaid program including under the  
 9 fee-for-service and managed care methodologies.

10 MEDICAID OMBUDSMAN

11 Sec. 67. Section 231.44, Code 2016, is amended to  
 12 read as follows:

13 **231.44 Utilization of resources — assistance and**  
 14 **advocacy related to long-term services and supports**  
 15 **under the Medicaid program.**

16 1. The office of long-term care ombudsman ~~may~~  
 17 shall utilize its available resources to provide  
 18 assistance and advocacy services to eligible recipients  
 19 of long-term services and supports, or individuals  
 20 seeking long-term services and supports, and the  
 21 families or legal representatives of such eligible  
 22 recipients, of long term services and supports provided  
 23 through individuals under the Medicaid program. Such  
 24 assistance and advocacy shall include but is not  
 25 limited to all of the following:

26 a. Assisting ~~recipients such individuals~~ in  
 27 understanding the services, coverage, and access  
 28 provisions and their rights under Medicaid managed  
 29 care.

30 b. Developing procedures for the tracking and  
 31 reporting of the outcomes of individual requests for  
 32 assistance, the obtaining of necessary services and  
 33 supports, and other aspects of the services provided to  
 34 ~~eligible recipients such individuals.~~

35 c. Providing advice and assistance relating to the

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1 preparation and filing of complaints, grievances, and  
 2 appeals of complaints or grievances, including through  
 3 processes available under managed care plans and the  
 4 state appeals process, relating to long-term services  
 5 and supports under the Medicaid program.

6 d. Accessing the results of a review of a level  
 7 of care assessment or reassessment by a managed care  
 8 organization in which the managed care organization  
 9 recommends denial or limited authorization of a  
 10 service, including the type or level of service, the  
 11 reduction, suspension, or termination of a previously  
 12 authorized service, or a change in level of care, upon



13 the request of an affected individual.  
14 e. Receiving notices of disenrollment or notices  
15 that would result in a change in level of care for  
16 affected individuals, including involuntary and  
17 voluntary discharges or transfers, from the department  
18 of human services or a managed care organization.  
19 2. A representative of the office of long-term care  
20 ombudsman providing assistance and advocacy services  
21 authorized under this section for an individual,  
22 shall be provided access to the individual, and shall  
23 be provided access to the individual's medical and  
24 social records as authorized by the individual or the  
25 individual's legal representative, as necessary to  
26 carry out the duties specified in this section.  
27 3. A representative of the office of long-term care  
28 ombudsman providing assistance and advocacy services  
29 authorized under this section for an individual, shall  
30 be provided access to administrative records related to  
31 the provision of the long-term services and supports to  
32 the individual, as necessary to carry out the duties  
33 specified in this section.  
34 4. The office of long-term care ombudsman and  
35 representatives of the office, when providing

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1 assistance and advocacy services under this section,  
2 shall be considered a health oversight agency as  
3 defined in 45 C.F.R. §164.501 for the purposes of  
4 health oversight activities as described in 45 C.F.R.  
5 §164.512(d) including access to the health records  
6 and other appropriate information of an individual,  
7 including from the department of human services or  
8 the applicable Medicaid managed care organization,  
9 as necessary to fulfill the duties specified under  
10 this section. The department of human services,  
11 in collaboration with the office of long-term care  
12 ombudsman, shall adopt rules to ensure compliance  
13 by affected entities with this subsection and to  
14 ensure recognition of the office of long-term care  
15 ombudsman as a duly authorized and identified agent or  
16 representative of the state.  
17 5. The department of human services and Medicaid  
18 managed care organizations shall inform eligible  
19 and potentially eligible Medicaid recipients of the  
20 advocacy services and assistance available through the  
21 office of long-term care ombudsman and shall provide  
22 contact and other information regarding the advocacy  
23 services and assistance to eligible and potentially  
24 eligible Medicaid recipients as directed by the office  
25 of long-term care ombudsman.  
26 6. When providing assistance and advocacy services

27 under this section, the office of long-term care  
 28 ombudsman shall act as an independent agency, and the  
 29 office of long-term care ombudsman and representatives  
 30 of the office shall be free of any undue influence that  
 31 restrains the ability of the office or the office's  
 32 representatives from providing such services and  
 33 assistance.  
 34 7. The office of long-term care ombudsman shall, in  
 35 addition to other duties prescribed and at a minimum,

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1 do all of the following in the furtherance of the  
 2 provision of advocacy services and assistance under  
 3 this section:  
 4 a. Represent the interests of eligible and  
 5 potentially eligible Medicaid recipients before  
 6 governmental agencies.  
 7 b. Analyze, comment on, and monitor the development  
 8 and implementation of federal, state, and local laws,  
 9 regulations, and other governmental policies and  
 10 actions, and recommend any changes in such laws,  
 11 regulations, policies, and actions as determined  
 12 appropriate by the office of long-term care ombudsman.  
 13 c. To maintain transparency and accountability for  
 14 activities performed under this section, including  
 15 for the purposes of claiming federal financial  
 16 participation for activities that are performed to  
 17 assist with administration of the Medicaid program:  
 18 (1) Have complete and direct responsibility for the  
 19 administration, operation, funding, fiscal management,  
 20 and budget related to such activities, and directly  
 21 employ, oversee, and supervise all paid and volunteer  
 22 staff associated with these activities.  
 23 (2) Establish separation-of-duties requirements,  
 24 provide limited access to work space and work  
 25 product for only necessary staff, and limit access to  
 26 documents and information as necessary to maintain the  
 27 confidentiality of the protected health information of  
 28 individuals served under this section.  
 29 (3) Collect and submit, annually, to the governor,  
 30 the health policy oversight committee created in  
 31 section 2.45, and the general assembly, all of the  
 32 following with regard to those seeking advocacy  
 33 services or assistance under this section:  
 34 (a) The number of contacts by contact type and  
 35 geographic location.

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1 (b) The type of assistance requested including the  
 2 name of the managed care organization involved, if  
 3 applicable.

4 (c) The time frame between the time of the initial  
 5 contact and when an initial response was provided.

6 (d) The amount of time from the initial contact to  
 7 resolution of the problem or concern.

8 (e) The actions taken in response to the request  
 9 for advocacy or assistance.

10 (f) The outcomes of requests to address problems or  
 11 concerns.

12 4. §. For the purposes of this section:

13 a. *“Institutional setting”* includes a long-term care  
 14 facility, an elder group home, or an assisted living  
 15 program.

16 b. *“Long-term services and supports”* means the broad  
 17 range of health, health-related, and personal care  
 18 assistance services and supports, provided in both  
 19 institutional settings and home and community-based  
 20 settings, necessary for older individuals and persons  
 21 with disabilities who experience limitations in their  
 22 capacity for self-care due to a physical, cognitive, or  
 23 mental disability or condition.

24 Sec. 68. NEW SECTION. 231.44A Willful interference  
 25 with duties related to long-term services and supports  
 26 — penalty.

27 Willful interference with a representative of the  
 28 office of long-term care ombudsman in the performance  
 29 of official duties in accordance with section 231.44  
 30 is a violation of section 231.44, subject to a penalty  
 31 prescribed by rule. The office of long-term care  
 32 ombudsman shall adopt rules specifying the amount of a  
 33 penalty imposed, consistent with the penalties imposed  
 34 under section 231.42, subsection 8, and specifying  
 35 procedures for notice and appeal of penalties imposed.

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1 MEDICAL ASSISTANCE ADVISORY COUNCIL

2 Sec. 69. Section 249A.4B, Code 2016, is amended to  
 3 read as follows:

4 **249A.4B Medical assistance advisory council.**

5 1. A medical assistance advisory council is  
 6 created to comply with 42 C.F.R. §431.12 based on  
 7 section 1902(a)(4) of the federal Social Security Act  
 8 and to advise the director about health and medical  
 9 care services under the ~~medical assistance~~ Medicaid  
 10 program, participate in Medicaid policy development  
 11 and program administration, and provide guidance on  
 12 key issues related to the Medicaid program, whether

13 administered under a fee-for-service, managed care, or  
 14 other methodology, including but not limited to access  
 15 to care, quality of care, and service delivery.

16 a. The council shall have the opportunity for  
 17 participation in policy development and program  
 18 administration, including furthering the participation  
 19 of recipients of the program, and without limiting this  
 20 general authority shall specifically do all of the  
 21 following:

22 (1) Formulate, review, evaluate, and recommend  
 23 policies, rules, agency initiatives, and legislation  
 24 pertaining to the Medicaid program. The council shall  
 25 have the opportunity to comment on proposed rules  
 26 prior to commencement of the rulemaking process and on  
 27 waivers and state plan amendment applications.

28 (2) Prior to the annual budget development process,  
 29 engage in setting priorities, including consideration  
 30 of the scope and utilization management criteria  
 31 for benefits, beneficiary eligibility, provider and  
 32 services reimbursement rates, and other budgetary  
 33 issues.

34 (3) Provide oversight for and review of the  
 35 administration of the Medicaid program.

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1 (4) Ensure that the membership of the council  
 2 effectively represents all relevant and concerned  
 3 viewpoints, particularly those of consumers, providers,  
 4 and the general public; create public understanding;  
 5 and ensure that the services provided under the  
 6 Medicaid program meet the needs of the people served.

7 b. The council shall meet ~~no more than~~ at least  
 8 quarterly, and prior to the next subsequent meeting  
 9 of the executive committee. ~~The director of public~~  
 10 health. The public member acting as a co-chairperson  
 11 of the executive committee and the professional or  
 12 business entity member acting as a co-chairperson of  
 13 the executive committee, shall serve as ~~chairperson~~  
 14 co-chairpersons of the council.

15 2. The council shall include all of the following  
 16 voting members:

17 a. The president, or the president's  
 18 representative, of each of the following professional  
 19 or business entities, or a member of each of the  
 20 following professional or business entities, selected  
 21 by the entity:

22 (1) The Iowa medical society.  
 23 (2) The Iowa osteopathic medical association.  
 24 (3) The Iowa academy of family physicians.  
 25 (4) The Iowa chapter of the American academy of  
 26 pediatrics.

- 27 (5) The Iowa physical therapy association.
- 28 (6) The Iowa dental association.
- 29 (7) The Iowa nurses association.
- 30 (8) The Iowa pharmacy association.
- 31 (9) The Iowa podiatric medical society.
- 32 (10) The Iowa optometric association.
- 33 (11) The Iowa association of community providers.
- 34 (12) The Iowa psychological association.
- 35 (13) The Iowa psychiatric society.

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- 1 (14) The Iowa chapter of the national association
- 2 of social workers.
- 3 (15) The coalition for family and children's
- 4 services in Iowa.
- 5 (16) The Iowa hospital association.
- 6 (17) The Iowa association of rural health clinics.
- 7 (18) The Iowa primary care association.
- 8 (19) Free clinics of Iowa.
- 9 (20) The opticians' association of Iowa, inc.
- 10 (21) The Iowa association of hearing health
- 11 professionals.
- 12 (22) The Iowa speech and hearing association.
- 13 (23) The Iowa health care association.
- 14 (24) The Iowa association of area agencies on
- 15 aging.
- 16 (25) AARP.
- 17 (26) The Iowa caregivers association.
- 18 (27) The Iowa coalition of home and community-based
- 19 services for seniors.
- 20 (28) The Iowa adult day services association.
- 21 (29) Leading age Iowa.
- 22 (30) The Iowa association for home care.
- 23 (31) The Iowa council of health care centers.
- 24 (32) The Iowa physician assistant society.
- 25 (33) The Iowa association of nurse practitioners.
- 26 (34) The Iowa nurse practitioner society.
- 27 (35) The Iowa occupational therapy association.
- 28 (36) The ARC of Iowa, formerly known as the
- 29 association for retarded citizens of Iowa.
- 30 (37) The national alliance for the mentally ill on
- 31 mental illness of Iowa.
- 32 (38) The Iowa state association of counties.
- 33 (39) The Iowa developmental disabilities council.
- 34 (40) The Iowa chiropractic society.
- 35 (41) The Iowa academy of nutrition and dietetics.

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- 1 (42) The Iowa behavioral health association.  
 2 (43) The midwest association for medical equipment  
 3 services or an affiliated Iowa organization.  
 4 (44) The Iowa public health association.  
 5 (45) The epilepsy foundation.  
 6 (46) The Iowa podiatric medical society.  
 7 (47) The child and family policy center.  
 8 (48) Early childhood Iowa.  
 9 b. Public representatives which may include members  
 10 of consumer groups, including recipients of medical  
 11 assistance or their families, consumer organizations,  
 12 and others, which shall be appointed by the governor  
 13 in equal in number to the number of representatives of  
 14 the professional and business entities specifically  
 15 represented under paragraph "a", appointed by the  
 16 governor for staggered terms of two years each, none  
 17 of whom shall be members of, or practitioners of, or  
 18 have a pecuniary interest in any of the professional  
 19 or business entities specifically represented under  
 20 paragraph "a", and a majority of whom shall be current  
 21 or former recipients of medical assistance or members  
 22 of the families of current or former recipients.  
 23 3. The council shall include all of the following  
 24 nonvoting members:  
 25 e. a. The director of public health, or the  
 26 director's designee.  
 27 d. b. The director of the department on aging, or  
 28 the director's designee.  
 29 c. The state long-term care ombudsman, or the  
 30 ombudsman's designee.  
 31 d. The ombudsman appointed pursuant to section  
 32 2C.3, or the ombudsman's designee.  
 33 e. The dean of Des Moines university — osteopathic  
 34 medical center, or the dean's designee.  
 35 f. The dean of the university of Iowa college of

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- 1 medicine, or the dean's designee.  
 2 g. The following members of the general assembly,  
 3 each for a term of two years as provided in section  
 4 69.16B:  
 5 (1) Two members of the house of representatives,  
 6 one appointed by the speaker of the house of  
 7 representatives and one appointed by the minority  
 8 leader of the house of representatives from their  
 9 respective parties.  
 10 (2) Two members of the senate, one appointed by the  
 11 president of the senate after consultation with the  
 12 majority leader of the senate and one appointed by the

13 minority leader of the senate.

14 ~~3.~~ 4. a. An executive committee of the council is  
 15 created and shall consist of the following members of  
 16 the council:

17 (1) As voting members:

18 (a) Five of the professional or business entity  
 19 members designated pursuant to subsection 2, paragraph  
 20 "a", and selected by the members specified under that  
 21 paragraph.

22 ~~(2)~~ (b) Five of the public members appointed  
 23 pursuant to subsection 2, paragraph "b", and selected  
 24 by the members specified under that paragraph. Of the  
 25 five public members, at least one member shall be a  
 26 recipient of medical assistance.

27 ~~(3)~~ (2) As nonvoting members:

28 (a) The director of public health, or the  
 29 director's designee.

30 (b) The director of the department on aging, or the  
 31 director's designee.

32 (c) The state long-term care ombudsman, or the  
 33 ombudsman's designee.

34 (d) The ombudsman appointed pursuant to section  
 35 2C.3, or the ombudsman's designee.

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1 b. The executive committee shall meet on a monthly  
 2 basis. ~~The director of public health~~ A public member  
 3 of the executive committee selected by the public  
 4 members appointed pursuant to subsection 2, paragraph  
 5 "b", and a professional or business entity member of  
 6 the executive committee selected by the professional  
 7 or business entity members appointed pursuant to  
 8 subsection 2, paragraph "a", shall serve as ~~chairperson~~  
 9 co-chairpersons of the executive committee.

10 c. Based upon the deliberations of the council and  
 11 the executive committee, the council and the executive  
 12 committee, respectively, shall make recommendations to  
 13 the director, to the health policy oversight committee  
 14 created in section 2.45, to the general assembly's  
 15 joint appropriations subcommittee on health and human  
 16 services, and to the general assembly's standing  
 17 committees on human resources regarding the budget,  
 18 policy, and administration of the medical assistance  
 19 program.

20 5. The council shall review Medicaid program  
 21 policies, administration, budget, and other factors  
 22 and issues including but not limited to stakeholder  
 23 safeguards; long-term services and supports;  
 24 transparency, data, and program evaluation; program  
 25 integrity; and the health workforce.

26 ~~4.~~ 6. For each council meeting or executive

27 committee meeting, a quorum shall consist of fifty  
 28 percent of the membership qualified to vote. Where a  
 29 quorum is present, a position is carried by a majority  
 30 of the members qualified to vote.

31 7. For each council meeting, other than those  
 32 held during the time the general assembly is in  
 33 session, each legislative member of the council shall  
 34 be reimbursed for actual travel and other necessary  
 35 expenses and shall receive a per diem as specified

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1 in section 7E.6 for each day in attendance, as shall  
 2 the members of the council or the executive committee,  
 3 for each day in attendance at a council or executive  
 4 committee meeting, who are recipients or the family  
 5 members of recipients of medical assistance, regardless  
 6 of whether the general assembly is in session.

7 ~~5.~~ 8. The department shall provide staff support  
 8 and independent technical assistance to the council and  
 9 the executive committee.

10 ~~6.~~ 9. The director shall ~~consider~~ comply with the  
 11 requirements of this section regarding the duties of  
 12 the council, and the deliberations and recommendations  
 13 ~~offered by~~ of the council and the executive committee  
 14 shall be reflected in the director's preparation of  
 15 medical assistance budget recommendations to the  
 16 council on human services pursuant to section 217.3,  
 17 ~~and~~ in implementation of medical assistance program  
 18 policies, and in administration of the Medicaid  
 19 program.

20 10. The council and executive committee shall  
 21 jointly submit quarterly reports to the health policy  
 22 oversight committee created in section 2.45 and shall  
 23 jointly submit a report to the governor and the general  
 24 assembly initially by January 1, 2017, and annually,  
 25 therefore, summarizing the outcomes and findings of  
 26 their respective deliberations and any recommendations  
 27 including but not limited to those for changes in law  
 28 or policy.

29 11. The council and executive committee may enlist  
 30 the services of persons who are qualified by education,  
 31 expertise, or experience to advise, consult with, or  
 32 otherwise assist the council or executive committee  
 33 in the performance of their duties. The council  
 34 or executive committee may specifically enlist the  
 35 assistance of entities such as the university of Iowa



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1 public policy center to provide ongoing evaluation  
 2 of the Medicaid program and to make evidence-based  
 3 recommendations to improve the program. The council  
 4 and the executive committee shall enlist input from  
 5 the patient-centered health advisory council created  
 6 in section 135.159, the mental health and disabilities  
 7 services commission created in section 225C.5, the  
 8 commission on aging created in section 231.11, the  
 9 bureau of substance abuse of the department of public  
 10 health, the Iowa developmental disabilities council,  
 11 and other appropriate state and local entities to  
 12 provide advice to the council and executive committee.  
 13 12. The department, in accordance with 42 C.F.R.  
 14 §431.12, shall seek federal financial participation  
 15 for the activities of the council and the executive  
 16 committee.

17 HAWK-I PROGRAM

18 Sec. 70. Section 514I.5, subsection 8, paragraph  
 19 d, Code 2016, is amended by adding the following new  
 20 subparagraph:

21 NEW SUBPARAGRAPH. (17) Occupational therapy.

22 Sec. 71. Section 514I.5, subsection 8, Code 2016,  
 23 is amended by adding the following new paragraph:

24 NEW PARAGRAPH. *m.* The definition of medically  
 25 necessary and the utilization management criteria under  
 26 the hawk-i program in order to ensure that benefits  
 27 are uniformly and consistently provided across all  
 28 participating insurers in the type and manner that  
 29 reflects and appropriately meets the needs, including  
 30 but not limited to the habilitative and rehabilitative  
 31 needs, of the child population including those children  
 32 with special health care needs.

33 MEDICAID PROGRAM POLICY IMPROVEMENT

34 Sec. 72. DIRECTIVES FOR MEDICAID PROGRAM POLICY  
 35 IMPROVEMENTS. In order to safeguard the interests

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1 of Medicaid recipients, encourage the participation  
 2 of Medicaid providers, and protect the interests  
 3 of all taxpayers, the department of human services  
 4 shall comply with or ensure that the specified entity  
 5 complies with all of the following and shall amend  
 6 Medicaid managed care contract provisions as necessary  
 7 to reflect all of the following:

8 1. CONSUMER PROTECTIONS.

9 a. In accordance with 42 C.F.R. §438.420, a  
 10 Medicaid managed care organization shall continue a  
 11 recipient's benefits during an appeal process. If, as  
 12 allowed when final resolution of an appeal is adverse

13 to the Medicaid recipient, the Medicaid managed care  
14 organization chooses to recover the costs of the  
15 services furnished to the recipient while an appeal is  
16 pending, the Medicaid managed care organization shall  
17 provide adequate prior notice of potential recovery  
18 of costs to the recipient at the time the appeal is  
19 filed, and any costs recovered shall be remitted to the  
20 department of human services.

21 b. Ensure that each Medicaid managed care  
22 organization provides, at a minimum, all the benefits  
23 and services deemed medically necessary including  
24 transportation that were covered, including to the  
25 extent and in the same manner and subject to the same  
26 prior authorization criteria, by the state program  
27 directly under fee for service prior to January 1,  
28 2016. Benefits covered through Medicaid managed care  
29 shall comply with the specific requirements in state  
30 law applicable to the respective Medicaid recipient  
31 population under fee for service.

32 c. Enhance monitoring of the reduction in or  
33 suspension or termination of services provided to  
34 Medicaid recipients, including reductions in the  
35 provision of home and community-based services waiver

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1 services or increases in home and community-based  
2 services waiver waiting lists. Medicaid managed care  
3 organizations shall provide data to the department  
4 as necessary for the department to compile periodic  
5 reports on the numbers of individuals transferred from  
6 state institutions and long-term care facilities to  
7 home and community-based services, and the associated  
8 savings. Any savings resulting from the transfers as  
9 certified by the department shall be remitted to the  
10 department of human services.

11 d. (1) Require each Medicaid managed care  
12 organization to adhere to reasonableness and service  
13 authorization standards that are appropriate for and  
14 do not disadvantage those individuals who have ongoing  
15 chronic conditions or who require long-term services  
16 and supports. Services and supports for individuals  
17 with ongoing chronic conditions or who require  
18 long-term services and supports shall be authorized in  
19 a manner that reflects the recipient's continuing need  
20 for such services and supports, and limits shall be  
21 consistent with a recipient's current needs assessment  
22 and person-centered service plan.

23 (2) In addition to other provisions relating to  
24 community-based case management continuity of care  
25 requirements, Medicaid managed care contractors shall  
26 provide the option to the case manager of a Medicaid

27 recipient who retained the case manager during the  
28 six months of transition to Medicaid managed care, if  
29 the recipient chooses to continue to retain that case  
30 manager beyond the six-month transition period and  
31 if the case manager is not otherwise a participating  
32 provider of the recipient's managed care organization  
33 provider network, to enter into a single case agreement  
34 to continue to provide case management services to the  
35 Medicaid recipient.

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1 e. Ensure that Medicaid recipients are provided  
2 care coordination and case management by appropriately  
3 trained professionals in a conflict-free manner. Care  
4 coordination and case management shall be provided  
5 in a patient-centered and family-centered manner  
6 that requires a knowledge of community supports, a  
7 reasonable ratio of care coordinators and case managers  
8 to Medicaid recipients, standards for frequency of  
9 contact with the Medicaid recipient, and specific and  
10 adequate reimbursement.

11 f. A Medicaid managed care contract shall include  
12 a provision for continuity and coordination of care  
13 for a consumer transitioning to Medicaid managed care,  
14 including maintaining existing provider-recipient  
15 relationships and honoring the amount, duration, and  
16 scope of a recipient's authorized services based on  
17 the recipient's medical history and needs. In the  
18 initial transition to Medicaid managed care, to ensure  
19 the least amount of disruption, Medicaid managed  
20 care organizations shall provide, at a minimum, a  
21 one-year transition of care period for all provider  
22 types, regardless of network status with an individual  
23 Medicaid managed care organization.

24 g. Ensure that a Medicaid managed care organization  
25 does not arbitrarily deny coverage for medically  
26 necessary services based solely on financial reasons  
27 and does not shift the responsibility for provision of  
28 services or payment of costs of services to another  
29 entity to avoid costs or attain savings.

30 h. Ensure that dental coverage, if not integrated  
31 into an overall Medicaid managed care contract, is  
32 part of the overall holistic, integrated coverage  
33 for physical, behavioral, and long-term services and  
34 supports provided to a Medicaid recipient.

35 i. Require each Medicaid managed care organization

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1 to verify the offering and actual utilization of  
2 services and supports and value-added services,  
3 an individual recipient's encounters and the costs  
4 associated with each encounter, and requests and  
5 associated approvals or denials of services.  
6 Verification of actual receipt of services and supports  
7 and value-added services shall, at a minimum, consist  
8 of comparing receipt of service against both what  
9 was authorized in the recipient's benefit or service  
10 plan and what was actually reimbursed. Value-added  
11 services shall not be reportable as allowable medical  
12 or administrative costs or factored into rate setting,  
13 and the costs of value-added services shall not be  
14 passed on to recipients or providers.

15 j. Provide periodic reports to the governor and  
16 the general assembly regarding changes in quality of  
17 care and health outcomes for Medicaid recipients under  
18 managed care compared to quality of care and health  
19 outcomes of the same populations of Medicaid recipients  
20 prior to January 1, 2016.

21 k. Require each Medicaid managed care organization  
22 to maintain records of complaints, grievances, and  
23 appeals, and report the number and types of complaints,  
24 grievances, and appeals filed, the resolution of each,  
25 and a description of any patterns or trends identified  
26 to the department of human services and the health  
27 policy oversight committee created in section 2.45,  
28 on a monthly basis. The department shall review and  
29 compile the data on a quarterly basis and make the  
30 compilations available to the public. Following review  
31 of reports submitted by the department, a Medicaid  
32 managed care organization shall take any corrective  
33 action required by the department and shall be subject  
34 to any applicable penalties.

35 l. Require Medicaid managed care organizations to

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1 survey Medicaid recipients, to collect satisfaction  
2 data using a uniform instrument, and to provide a  
3 detailed analysis of recipient satisfaction as well as  
4 various metrics regarding the volume of and timelines  
5 in responding to recipient complaints and grievances as  
6 directed by the department of human services.

7 m. Require managed care organizations to allow a  
8 recipient to request that the managed care organization  
9 enter into a single case agreement with a recipient's  
10 out-of-network provider, including a provider outside  
11 of the state, to provide for continuity of care when  
12 the recipient has an existing relationship with the

13 provider to provide a covered benefit, or to ensure  
14 adequate or timely access to a provider of a covered  
15 benefit when the managed care organization provider  
16 network cannot ensure such adequate or timely access.

17 2. CHILDREN.

18 a. (1) The hawk-i board shall retain all authority  
19 specified under chapter 514I relative to the children  
20 eligible under section 514I.8 to participate in the  
21 hawk-i program, including but not limited to approving  
22 any contract entered into pursuant to chapter 514I;  
23 approving the benefit package design, reviewing the  
24 benefit package design, and making necessary changes  
25 to reflect the results of the reviews; and adopting  
26 rules for the hawk-i program including those related  
27 to qualifying standards for selecting participating  
28 insurers for the program and the benefits to be  
29 included in a health plan.

30 (2) The hawk-i board shall review benefit plans  
31 and utilization review provisions and ensure that  
32 benefits provided to children under the hawk-i program,  
33 at a minimum, reflect those required by state law as  
34 specified in section 514I.5, include both habilitative  
35 and rehabilitative services, and are provided as

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1 medically necessary relative to the child population  
2 served and based on the needs of the program recipient  
3 and the program recipient's medical history.

4 (3) The hawk-i board shall work with the department  
5 of human services to coordinate coverage and care for  
6 the population of children in the state eligible for  
7 either Medicaid or hawk-i coverage so that, to the  
8 greatest extent possible, the two programs provide for  
9 continuity of care as children transition between the  
10 two programs or to private health care coverage. To  
11 this end, all contracts with participating insurers  
12 providing coverage under the hawk-i program and with  
13 all managed care organizations providing coverage for  
14 children eligible for Medicaid shall do all of the  
15 following:

16 (a) Specifically and appropriately address  
17 the unique needs of children and children's health  
18 delivery.

19 (b) Provide for the maintaining of child health  
20 panels that include representatives of child health,  
21 welfare, policy, and advocacy organizations in the  
22 state that address child health and child well-being.

23 (c) Address early intervention and prevention  
24 strategies, the provision of a child health care  
25 delivery infrastructure for children with special  
26 health care needs, utilization of current standards

27 and guidelines for children's health care and  
28 pediatric-specific screening and assessment tools,  
29 the inclusion of pediatric specialty providers in  
30 the provider network, and the utilization of health  
31 homes for children and youth with special health  
32 care needs including intensive care coordination  
33 and family support and access to a professional  
34 family-to-family support system. Such contracts  
35 shall utilize pediatric-specific quality measures

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1 and assessment tools which shall align with existing  
2 pediatric-specific measures as determined in  
3 consultation with the child health panel and approved  
4 by the hawk-i board.

5 (d) Provide special incentives for innovative  
6 and evidence-based preventive, behavioral, and  
7 developmental health care and mental health care  
8 for children's programs that improve the life course  
9 trajectory of these children.

10 (e) Provide that information collected from the  
11 pediatric-specific assessments be used to identify  
12 health risks and social determinants of health that  
13 impact health outcomes. Such data shall be used in  
14 care coordination and interventions to improve patient  
15 outcomes and to drive program designs that improve the  
16 health of the population. Aggregate assessment data  
17 shall be shared with affected providers on a routine  
18 basis.

19 b. In order to monitor the quality of and access  
20 to health care for children receiving coverage under  
21 the Medicaid program, each Medicaid managed care  
22 organization shall uniformly report, in a template  
23 format designated by the department of human services,  
24 the number of claims submitted by providers and the  
25 percentage of claims approved by the Medicaid managed  
26 care organization for the early and periodic screening,  
27 diagnostic, and treatment (EPSDT) benefit based  
28 on the Iowa EPSDT care for kids health maintenance  
29 recommendations, including but not limited to  
30 physical exams, immunizations, the seven categories of  
31 developmental and behavioral screenings, vision and  
32 hearing screenings, and lead testing.

33 3. PROVIDER PARTICIPATION ENHANCEMENT.

34 a. Ensure that savings achieved through Medicaid  
35 managed care does not come at the expense of further

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1 reductions in provider rates. The department shall  
2 ensure that Medicaid managed care organizations use  
3 reasonable reimbursement standards for all provider  
4 types and compensate providers for covered services at  
5 not less than the minimum reimbursement established  
6 by state law applicable to fee for service for a  
7 respective provider, service, or product for a fiscal  
8 year and as determined in conjunction with actuarially  
9 sound rate setting procedures. Such reimbursement  
10 shall extend for the entire duration of a managed care  
11 contract.

12 b. To enhance continuity of care in the provision  
13 of pharmacy services, Medicaid managed care  
14 organizations shall utilize the same preferred drug  
15 list, recommended drug list, prior authorization  
16 criteria, and other utilization management strategies  
17 that apply to the state program directly under fee for  
18 service and shall apply other provisions of applicable  
19 state law including those relating to chemically unique  
20 mental health prescription drugs. Reimbursement rates  
21 established under Medicaid managed care contracts for  
22 ingredient cost reimbursement and dispensing fees shall  
23 be subject to and shall reflect provisions of state  
24 and federal law, including the minimum reimbursements  
25 established in state law for fee for service for a  
26 fiscal year.

27 c. Address rate setting and reimbursement of the  
28 entire scope of services provided under the Medicaid  
29 program to ensure the adequacy of the provider network  
30 and to ensure that providers that contribute to the  
31 holistic health of the Medicaid recipient, whether  
32 inside or outside of the provider network, are  
33 compensated for their services.

34 d. Managed care contractors shall submit financial  
35 documentation to the department of human services

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1 demonstrating payment of claims and expenses by  
2 provider type.

3 e. Participating Medicaid providers under a managed  
4 care contract shall be allowed to submit claims for up  
5 to 365 days following discharge of a Medicaid recipient  
6 from a hospital or following the date of service.

7 f. (1) Ensure that a Medicaid managed care  
8 organization develops and maintains a provider network  
9 of qualified providers who meet state licensing,  
10 credentialing, and certification requirements, as  
11 applicable, which network shall be sufficient to  
12 provide adequate access to all services covered

13 including transportation and for all populations served  
14 under the managed care contract. Medicaid managed  
15 care organizations shall incorporate existing and  
16 traditional providers, including but not limited to  
17 those providers that comprise the Iowa collaborative  
18 safety net provider network created in section 135.153,  
19 into their provider networks.

20 (2) Ensure that respective Medicaid populations  
21 are managed at all times within funding limitations  
22 and contract terms. The department shall also  
23 monitor service delivery and utilization to ensure  
24 the responsibility for provision of services to  
25 Medicaid recipients is not shifted to non-Medicaid  
26 covered services to attain savings, and that such  
27 responsibility is not shifted to mental health and  
28 disability services regions, local public health  
29 agencies, aging and disability resource centers,  
30 or other entities unless agreement to provide, and  
31 provision for adequate compensation for, such services  
32 is agreed to between the affected entities in advance.

33 g. Medicaid managed care organizations shall  
34 provide an enrolled Medicaid provider approved by the  
35 department of human services the opportunity to be a

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1 participating network provider.

2 h. Medicaid managed care organizations shall  
3 include provider appeals and grievance procedures  
4 that in part allow a provider to file a grievance  
5 independently but on behalf of a Medicaid recipient  
6 and to appeal claims denials which, if determined to  
7 be based on claims for medically necessary services  
8 whether or not denied on an administrative basis, shall  
9 receive appropriate payment.

10 i. (1) Medicaid managed care organizations  
11 shall include as primary care providers any provider  
12 designated by the state as a primary care provider,  
13 subject to a provider's respective state certification  
14 standards, including but not limited to all of the  
15 following:

16 (a) A physician who is a family or general  
17 practitioner, a pediatrician, an internist, an  
18 obstetrician, or a gynecologist.

19 (b) An advanced registered nurse practitioner.

20 (c) A physician assistant.

21 (d) A chiropractor licensed pursuant to chapter  
22 151.

23 (2) A Medicaid managed care organization shall not  
24 impose more restrictive, additional, or different scope  
25 of practice requirements or standards of practice on a  
26 primary care provider than those prescribed by state



27 law as a prerequisite for participation in the managed  
28 care organization's provider network.

29 4. CAPITATION RATES AND MEDICAL LOSS RATIO.

30 a. Capitation rates shall be developed based on all  
31 reasonable, appropriate, and attainable costs. Costs  
32 that are not reasonable, appropriate, or attainable,  
33 including but not limited to improper payment  
34 recoveries, shall not be included in the development  
35 of capitated rates.

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1 b. Capitation rates for Medicaid recipients falling  
2 within different rate cells shall not be expected to  
3 cross-subsidize one another and the data used to set  
4 capitation rates shall be relevant and timely and tied  
5 to the appropriate Medicaid population.

6 c. Any increase in capitation rates for managed  
7 care contractors is subject to prior statutory approval  
8 and shall not exceed three percent over the existing  
9 capitation rate in any one-year period or five percent  
10 over the existing capitation rate in any two-year  
11 period.

12 d. A managed care contract shall impose a minimum  
13 Medicaid loss ratio of at least eighty-eight percent.  
14 In calculating the medical loss ratio, medical costs  
15 or benefit expenses shall include only those costs  
16 directly related to patient medical care and not  
17 ancillary expenses, including but not limited to any  
18 of the following:

19 (1) Program integrity activities.

20 (2) Utilization review activities.

21 (3) Fraud prevention activities beyond the scope of  
22 those activities necessary to recover incurred claims.

23 (4) Provider network development, education, or  
24 management activities.

25 (5) Provider credentialing activities.

26 (6) Marketing expenses.

27 (7) Administrative costs associated with recipient  
28 incentives.

29 (8) Clinical data collection activities.

30 (9) Claims adjudication expenses.

31 (10) Customer service or health care professional  
32 hotline services addressing nonclinical recipient  
33 questions.

34 (11) Value-added or cost-containment services,  
35 wellness programs, disease management, and case

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- 1 management or care coordination programs.
- 2 (12) Health quality improvement activities unless  
3 specifically approved as a medical cost by state law.  
4 Costs of health quality improvement activities included  
5 in determining the medical loss ratio shall be only  
6 those activities that are independent improvements  
7 measurable in individual patients.
- 8 (13) Insurer claims review activities.
- 9 (14) Information technology costs unless they  
10 directly and credibly improve the quality of health  
11 care and do not duplicate, conflict with, or fail to be  
12 compatible with similar health information technology  
13 efforts of providers.
- 14 (15) Legal department costs including information  
15 technology costs, expenses incurred for review and  
16 denial of claims, legal costs related to defending  
17 claims, settlements for wrongly denied claims, and  
18 costs related to administrative claims handling  
19 including salaries of administrative personnel and  
20 legal costs.
- 21 (16) Taxes unrelated to premiums or the provision  
22 of medical care. Only state and federal taxes and  
23 licensing or regulatory fees relevant to actual  
24 premiums collected, not including such taxes and fees  
25 as property taxes, taxes on investment income, taxes on  
26 investment property, and capital gains taxes, may be  
27 included in determining the medical loss ratio.
- 28 e. (1) Provide enhanced guidance and criteria for  
29 defining medical and administrative costs, recoveries,  
30 and rebates including pharmacy rebates, and the  
31 recording, reporting, and recoupment of such costs,  
32 recoveries, and rebates realized.
- 33 (2) Medicaid managed care organizations shall  
34 offset recoveries, rebates, and refunds against  
35 medical costs, include only allowable administrative

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- 1 expenses in the determination of administrative costs,  
2 report costs related to subcontractors properly, and  
3 have complete systems checks and review processes to  
4 identify overpayment possibilities.
- 5 (3) Medicaid managed care contractors shall submit  
6 publicly available, comprehensive financial statements  
7 to the department of human services to verify that the  
8 minimum medical loss ratio is being met and shall be  
9 subject to periodic audits.
- 10 5. DATA AND INFORMATION, EVALUATION, AND OVERSIGHT.
- 11 a. Develop and administer a clear, detailed policy  
12 regarding the collection, storage, integration,

13 analysis, maintenance, retention, reporting, sharing,  
14 and submission of data and information from the  
15 Medicaid managed care organizations and shall require  
16 each Medicaid managed care organization to have in  
17 place a data and information system to ensure that  
18 accurate and meaningful data is available. At a  
19 minimum, the data shall allow the department to  
20 effectively measure and monitor Medicaid managed care  
21 organization performance, quality, outcomes including  
22 recipient health outcomes, service utilization,  
23 finances, program integrity, the appropriateness  
24 of payments, and overall compliance with contract  
25 requirements; perform risk adjustments and determine  
26 actuarially sound capitation rates and appropriate  
27 provider reimbursements; verify that the minimum  
28 medical loss ratio is being met; ensure recipient  
29 access to and use of services; create quality measures;  
30 and provide for program transparency.  
31 b. Medicaid managed care organizations shall  
32 directly capture and retain and shall report actual and  
33 detailed medical claims costs and administrative cost  
34 data to the department as specified by the department.  
35 Medicaid managed care organizations shall allow the

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1 department to thoroughly and accurately monitor the  
2 medical claims costs and administrative costs data  
3 Medicaid managed care organizations report to the  
4 department.  
5 c. Any audit of Medicaid managed care contracts  
6 shall ensure compliance including with respect to  
7 appropriate medical costs, allowable administrative  
8 costs, the medical loss ratio, cost recoveries,  
9 rebates, overpayments, and with specific contract  
10 performance requirements.  
11 d. The external quality review organization  
12 contracting with the department shall review the  
13 Medicaid managed care program to determine if the  
14 state has sufficient infrastructure and controls in  
15 place to effectively oversee the Medicaid managed care  
16 organizations and the Medicaid program in order to  
17 ensure, at a minimum, compliance with Medicaid managed  
18 care organization contracts and to prevent fraud,  
19 abuse, and overpayments. The results of any external  
20 quality review organization review shall be submitted  
21 to the governor, the general assembly, and the health  
22 policy oversight committee created in section 2.45.  
23 e. Publish benchmark indicators based on Medicaid  
24 program outcomes from the fiscal year beginning July 1,  
25 2015, to be used to compare outcomes of the Medicaid  
26 program as administered by the state program prior

27 to July 1, 2015, to those outcomes of the program  
28 under Medicaid managed care. The outcomes shall  
29 include a comparison of actual costs of the program  
30 as administered prior to and after implementation of  
31 Medicaid managed care. The data shall also include  
32 specific detail regarding the actual expenses incurred  
33 by each managed care organization by specific provider  
34 line of service.  
35 f. Review and approve or deny approval of contract

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1 amendments on an ongoing basis to provide for  
2 continuous improvement in Medicaid managed care and  
3 to incorporate any changes based on changes in law or  
4 policy.  
5 g. (1) Require managed care contractors to track  
6 and report on a monthly basis to the department of  
7 human services, at a minimum, all of the following:  
8 (a) The number and details relating to prior  
9 authorization requests and denials.  
10 (b) The ten most common reasons for claims denials.  
11 Information reported by a managed care contractor  
12 relative to claims shall also include the number  
13 of claims denied, appealed, and overturned based on  
14 provider type and service type.  
15 (c) Utilization of health care services by  
16 diagnostic related group and ambulatory payment  
17 classification as well as total claims volume.  
18 (2) The department shall ensure the validity  
19 of all information submitted by a Medicaid managed  
20 care organization and shall make the monthly reports  
21 available to the public.  
22 h. Medicaid managed care organizations shall  
23 maintain stakeholder panels comprised of an equal  
24 number of Medicaid recipients and providers. Medicaid  
25 managed care organizations shall provide for separate  
26 provider-specific panels to address detailed payment,  
27 claims, process, and other issues as well as grievance  
28 and appeals processes.  
29 i. Medicaid managed care contracts shall align  
30 economic incentives, delivery system reforms, and  
31 performance and outcome metrics with those of the state  
32 innovation models initiatives and Medicaid accountable  
33 care organizations. The department of human services  
34 shall develop and utilize a common, uniform set of  
35 process, quality, and consumer satisfaction measures

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1 across all Medicaid payors and providers that align  
 2 with those developed through the state innovation  
 3 models initiative and shall ensure that such measures  
 4 are expanded and adjusted to address additional  
 5 populations and to meet population health objectives.  
 6 Medicaid managed care contracts shall include long-term  
 7 performance and outcomes goals that reward success in  
 8 achieving population health goals such as improved  
 9 community health metrics.

10 j. (1) Require consistency and uniformity of  
 11 processes, procedures, reports, and forms across  
 12 all Medicaid managed care organizations to reduce  
 13 the administrative burden to providers and consumers  
 14 and to increase efficiencies in the program. Such  
 15 requirements shall apply to but are not limited to  
 16 areas of uniform cost and quality reporting, uniform  
 17 prior authorization requirements and procedures,  
 18 uniform utilization management criteria, centralized,  
 19 uniform, and seamless credentialing requirements and  
 20 procedures, and uniform critical incident reporting.

21 (2) The department of human services shall  
 22 establish a comprehensive provider credentialing  
 23 process to be recognized and utilized by all Medicaid  
 24 managed care organization contractors. The process  
 25 shall meet the national committee for quality assurance  
 26 and other appropriate standards. The process shall  
 27 ensure that credentialing is completed in a timely  
 28 manner without disruption to provider billing  
 29 processes.

30 k. Medicaid managed care organizations and any  
 31 entity with which a managed care organization contracts  
 32 for the performance of services shall disclose at no  
 33 cost to the department all discounts, incentives,  
 34 rebates, fees, free goods, bundling arrangements, and  
 35 other agreements affecting the net cost of goods or

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1 services provided under a managed care contract.  
 2 Sec. 73. RETROACTIVE APPLICABILITY. The section  
 3 of this division of this Act relating to directives  
 4 for Medicaid program policy improvements applies  
 5 retroactively to July 1, 2015.

6 Sec. 74. EFFECTIVE UPON ENACTMENT. This division  
 7 of this Act, being deemed of immediate importance,  
 8 takes effect upon enactment.

9 DIVISION XIV  
 10 CHILDREN'S MENTAL HEALTH AND WELL-BEING  
 11 Sec. 75. CHILDREN'S MENTAL HEALTH CRISIS SERVICES  
 12 — PLANNING GRANTS.

- 13 1. The department of human services shall establish  
14 a request for proposals process, in cooperation  
15 with the departments of public health and education  
16 and the judicial branch, which shall be based upon  
17 recommendations for children's mental health crisis  
18 services described in the children's mental health and  
19 well-being workgroup final report submitted to the  
20 department on December 15, 2015.
- 21 2. Planning grants shall be awarded to two lead  
22 entities. Each lead entity should be a member of  
23 a specifically designated coalition of three to  
24 four other entities that propose to serve different  
25 geographically defined areas of the state, but a lead  
26 entity shall not be a mental health and disability  
27 services region.
- 28 3. The request for proposals shall require each  
29 grantee to develop a plan for children's mental health  
30 crisis services for the grantee's defined geographic  
31 area that includes all of the following:
- 32 a. Identification of the existing children's mental  
33 health crisis services in the defined area.
- 34 b. Identification of gaps in children's mental  
35 health crisis services in the defined area.

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- 1 c. A plan for collection of data that demonstrates  
2 the effects of children's mental health crisis services  
3 through the collection of outcome data and surveys of  
4 the children affected and their families.
- 5 d. A method for using federal, state, and other  
6 funding including funding currently available, to  
7 implement and support children's mental health crisis  
8 services.
- 9 e. Utilization of collaborative processes developed  
10 from the recommendations from the children's mental  
11 health and well-being workgroup final report submitted  
12 to the department on December 15, 2015.
- 13 f. A recommendation for any additional state  
14 funding needed to establish a children's mental health  
15 crisis service system in the defined area.
- 16 g. A recommendation for statewide standard  
17 requirements for children's mental health crisis  
18 services, as defined in the children's mental health  
19 and well-being workgroup final report submitted to the  
20 department of human services on December 15, 2015,  
21 including but not limited to all of the following:
- 22 (1) Standardized primary care practitioner  
23 screenings.
- 24 (2) Standardized mental health crisis screenings.
- 25 (3) Standardized mental health and substance use  
26 disorder assessments.

27 (4) Requirements for certain inpatient psychiatric  
28 hospitals and psychiatric medical institutions for  
29 children to accept and treat all children regardless of  
30 the acuity of their condition.

31 4. Each grantee shall submit a report to the  
32 department by December 15, 2016. The department  
33 shall combine the essentials of each report and shall  
34 submit a report to the general assembly by January  
35 15, 2017, regarding the department's conclusions and

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1 recommendations.

2 Sec. 76. CHILDREN'S WELL-BEING LEARNING LABS. The  
3 department of human services, utilizing existing  
4 departmental resources and with the continued  
5 assistance of a private child welfare foundation  
6 focused on improving child well-being, shall study  
7 and collect data on emerging, collaborative efforts  
8 in existing programs engaged in addressing well-being  
9 for children with complex needs and their families in  
10 communities across the state. The department shall  
11 establish guidelines based upon recommendations in  
12 the children's mental health and well-being workgroup  
13 final report submitted to the department on December  
14 15, 2015, to select three to five such programs to  
15 be designated learning labs to enable the department  
16 to engage in a multi-site learning process during the  
17 2016 calendar year with a goal of creating an expansive  
18 structured learning network. The department shall  
19 submit a report with recommendations including lessons  
20 learned, suggested program design refinements, and  
21 implications for funding, policy changes, and best  
22 practices to the general assembly by January 15, 2017.

23 Sec. 77. DEPARTMENT OF HUMAN SERVICES — ADDITIONAL  
24 STUDY REPORTS. The department of human services shall,  
25 in consultation with the department of public health,  
26 the mental health and disability services commission,  
27 and the mental health planning council, submit a  
28 report with recommendations to the general assembly by  
29 December 15, 2016, regarding all of the following:

30 1. The creation and implementation of a statewide  
31 children's mental health crisis service system to  
32 include but not be limited to an inventory of all  
33 current children's mental health crisis service systems  
34 in the state including children's mental health crisis  
35 service system telephone lines. The report shall

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1 include recommendations regarding proposed changes to  
 2 improve the effectiveness of and access to children's  
 3 mental health crisis services.

4 2. The development and implementation of a  
 5 children's mental health public education and awareness  
 6 campaign that targets the reduction of stigma for  
 7 children with mental illness and that supports children  
 8 with mental illness and their families in seeking  
 9 effective treatment. The plan shall include potential  
 10 methods for funding such a campaign.

11 Sec. 78. CHILDREN'S MENTAL HEALTH AND WELL-BEING  
 12 ADVISORY COMMITTEE. The department of human services  
 13 shall create and provide support to a children's mental  
 14 health and well-being advisory committee to continue  
 15 the coordinated efforts of the children's mental health  
 16 subcommittee and the children's well-being subcommittee  
 17 of the children's mental health and well-being  
 18 workgroup. Consideration shall be given to continued  
 19 service by members of the children's mental health and  
 20 well-being workgroup created pursuant to 2015 Iowa  
 21 Acts, ch. 137, and representatives from the departments  
 22 of human services, public health, and education; the  
 23 judicial branch; and other appropriate stakeholders  
 24 designated by the director. The advisory committee  
 25 shall do all of the following:

26 1. Provide guidance regarding implementation of  
 27 the recommendations in the children's mental health  
 28 and well-being workgroup final report submitted to the  
 29 department on December 15, 2015, and subsequent reports  
 30 required by this Act.

31 2. Select and study additional children's  
 32 well-being learning labs to assure a continued  
 33 commitment to joint learning and comparison for all  
 34 learning lab sites.

35 DIVISION XV

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1 OPIOID ANTAGONIST REVISION

2 Sec. 79. Section 135.190, subsection 1, as enacted  
 3 by 2016 Iowa Acts, Senate File 2218, section 1, is  
 4 amended by adding the following new paragraph:  
 5 NEW PARAGRAPH. *0a. "Licensed health care*  
 6 *professional" means the same as defined in section*  
 7 *280.16.*

8 Sec. 80. Section 135.190, as enacted by 2016 Iowa  
 9 Acts, Senate File 2218, section 1, is amended by adding  
 10 the following new subsections:

11 NEW SUBSECTION. 1A. *a. Notwithstanding any other*  
 12 *provision of law to the contrary, a licensed health*



13 care professional may prescribe an opioid antagonist to  
14 a person in a position to assist.

15 *b.* (1) Notwithstanding any other provision of law  
16 to the contrary, a pharmacist licensed under chapter  
17 155A may, by standing order or through collaborative  
18 agreement, dispense, furnish, or otherwise provide an  
19 opioid antagonist to a person in a position to assist.

20 (2) A pharmacist who dispenses, furnishes, or  
21 otherwise provides an opioid antagonist pursuant to a  
22 valid prescription, standing order, or collaborative  
23 agreement shall provide instruction to the recipient  
24 in accordance with any protocols and instructions  
25 developed by the department under this section.

26 NEW SUBSECTION. 4. The department may adopt rules  
27 pursuant to chapter 17A to implement and administer  
28 this section.

29 Sec. 81. Section 135.190, subsection 3, as enacted  
30 by 2016 Iowa Acts, Senate File 2218, section 1, is  
31 amended to read as follows:

32 3. A person in a position to assist or a prescriber  
33 of an opioid antagonist who has acted reasonably and in  
34 good faith shall not be liable for any injury arising  
35 from the provision, administration, or assistance in

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1 the administration of an opioid antagonist as provided  
2 in this section.

3 Sec. 82. Section 147A.18, subsections 1 and 5, as  
4 enacted by 2016 Iowa Acts, Senate File 2218, section 3,  
5 are amended to read as follows:

6 1. a. Notwithstanding any other provision of law  
7 to the contrary, a licensed health care professional  
8 may prescribe an opioid antagonist in the name of  
9 a service program, law enforcement agency, or fire  
10 department to be maintained for use as provided in this  
11 section.

12 b. (1) Notwithstanding any other provision of law  
13 to the contrary, a pharmacist licensed under chapter  
14 155A may, by standing order or through collaborative  
15 agreement, dispense, furnish, or otherwise provide an  
16 opioid antagonist in the name of a service program, law  
17 enforcement agency, or fire department to be maintained  
18 for use as provided in this section.

19 (2) A pharmacist who dispenses, furnishes, or  
20 otherwise provides an opioid antagonist pursuant to a  
21 valid prescription, standing order, or collaborative  
22 agreement shall provide instruction to the recipient  
23 in accordance with the protocols and instructions  
24 developed by the department under this section.

25 5. The department ~~shall~~ may adopt rules pursuant  
26 to chapter 17A to implement and administer this

27 section, ~~including but not limited to standards~~  
 28 ~~and procedures for the prescription, distribution,~~  
 29 ~~storage, replacement, and administration of opioid~~  
 30 ~~antagonists, and for the training and authorization~~  
 31 ~~to be required for first responders to administer an~~  
 32 ~~opioid antagonist.~~

33 Sec. 83. OPIOID ANTAGONIST IMPLEMENTATION  
 34 CONTINGENCY. 2016 Iowa Acts, Senate File 2218, section  
 35 4, is repealed.

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1 Sec. 84. 2016 Iowa Acts, Senate File 2218, as  
 2 enacted, is amended by adding the following new  
 3 section:  
 4 NEW SECTION. SEC. \_\_\_\_ EFFECTIVE UPON ENACTMENT.  
 5 This Act, being deemed of immediate importance, takes  
 6 effect upon enactment.

7 Sec. 85. EFFECTIVE DATE. This division of this  
 8 Act, being deemed of immediate importance, takes effect  
 9 upon enactment.

10 Sec. 86. RETROACTIVE APPLICABILITY. This division  
 11 of this Act applies retroactively to April 6, 2016.

12 DIVISION XVI  
 13 NURSING GRANT PROGRAMS

14 Sec. 87. Section 135.178, Code 2016, is amended to  
 15 read as follows:

16 **135.178 Nurse residency state matching grants**  
 17 **program —~~repeal.~~**

18 ~~↔~~ The department shall establish a nurse residency  
 19 state matching grants program to provide matching state  
 20 funding to sponsors of nurse residency programs in this  
 21 state to establish, expand, or support nurse residency  
 22 programs that meet standards adopted by rule of the  
 23 department. Funding for the program may be provided  
 24 through the health care workforce shortage fund or  
 25 the nurse residency state matching grants program  
 26 account created in section 135.175. The department,  
 27 in cooperation with the Iowa board of nursing, the  
 28 department of education, Iowa institutions of higher  
 29 education with board of nursing-approved programs  
 30 to educate nurses, and the Iowa nurses association,  
 31 shall adopt rules pursuant to chapter 17A to establish  
 32 minimum standards for nurse residency programs to be  
 33 eligible for a matching grant that address all of the  
 34 following:

35 ~~↔~~ 1. Eligibility requirements for and

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1 qualifications of a sponsor of a nurse residency  
 2 program to receive a grant, including that the program  
 3 includes both rural and urban components.  
 4 ~~b.~~ 2. The application process for the grant.  
 5 ~~c.~~ 3. Criteria for preference in awarding of the  
 6 grants.  
 7 ~~d.~~ 4. Determination of the amount of a grant.  
 8 ~~e.~~ 5. Use of the funds awarded. Funds may be  
 9 used to pay the costs of establishing, expanding, or  
 10 supporting a nurse residency program as specified in  
 11 this section, including but not limited to the costs  
 12 associated with residency stipends and nursing faculty  
 13 stipends.  
 14 ~~2. This section is repealed June 30, 2016.~~  
 15 Sec. 88. Section 261.129, Code 2016, is amended to  
 16 read as follows:  
 17 **261.129 Iowa needs nurses now initiative —repeal.**  
 18 1. *Nurse educator incentive payment program.*  
 19 a. The commission shall establish a nurse educator  
 20 incentive payment program. Funding for the program  
 21 may be provided through the health care workforce  
 22 shortage fund or the health care professional and  
 23 Iowa needs nurses now initiative account created in  
 24 section 135.175. For the purposes of this subsection,  
 25 “*nurse educator*” means a registered nurse who holds a  
 26 master’s degree or doctorate degree and is employed  
 27 as a faculty member who teaches nursing in a nursing  
 28 education program as provided in 655 IAC 2.6 at a  
 29 community college, an accredited private institution,  
 30 or an institution of higher education governed by the  
 31 state board of regents.  
 32 b. The program shall consist of incentive payments  
 33 to recruit and retain nurse educators. The program  
 34 shall provide for incentive payments of up to twenty  
 35 thousand dollars for a nurse educator who remains

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1 teaching in a qualifying teaching position for a period  
 2 of not less than four consecutive academic years.  
 3 c. The nurse educator and the commission shall  
 4 enter into an agreement specifying the obligations of  
 5 the nurse educator and the commission. If the nurse  
 6 educator leaves the qualifying teaching position prior  
 7 to teaching for four consecutive academic years, the  
 8 nurse educator shall be liable to repay the incentive  
 9 payment amount to the state, plus interest as specified  
 10 by rule. However, if the nurse educator leaves the  
 11 qualifying teaching position involuntarily, the nurse  
 12 educator shall be liable to repay only a pro rata

13 amount of the incentive payment based on incompletd  
14 years of service.

15 *d.* The commission, in consultation with the  
16 department of public health, the board of nursing,  
17 the department of education, and the Iowa nurses  
18 association, shall adopt rules pursuant to chapter 17A  
19 relating to the establishment and administration of the  
20 nurse educator incentive payment program. The rules  
21 shall include provisions specifying what constitutes a  
22 qualifying teaching position.

23 *2. Nursing faculty fellowship program.*

24 *a.* The commission shall establish a nursing faculty  
25 fellowship program to provide funds to nursing schools  
26 in the state, including but not limited to nursing  
27 schools located at community colleges, for fellowships  
28 for individuals employed in qualifying positions on  
29 the nursing faculty. Funding for the program may be  
30 provided through the health care workforce shortage  
31 fund or the health care professional and the Iowa  
32 needs nurses now initiative account created in section  
33 135.175. The program shall be designed to assist  
34 nursing schools in filling vacancies in qualifying  
35 positions throughout the state.

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1 *b.* The commission, in consultation with the  
2 department of public health, the board of nursing,  
3 the department of education, and the Iowa nurses  
4 association, and in cooperation with nursing schools  
5 throughout the state, shall develop a distribution  
6 formula which shall provide that no more than thirty  
7 percent of the available moneys are awarded to a single  
8 nursing school. Additionally, the program shall limit  
9 funding for a qualifying position in a nursing school  
10 to no more than ten thousand dollars per year for up  
11 to three years.

12 *c.* The commission, in consultation with the  
13 department of public health, the board of nursing,  
14 the department of education, and the Iowa nurses  
15 association, shall adopt rules pursuant to chapter 17A  
16 to administer the program. The rules shall include  
17 provisions specifying what constitutes a qualifying  
18 position at a nursing school.

19 *d.* In determining eligibility for a fellowship, the  
20 commission shall consider all of the following:

21 (1) The length of time a qualifying position has  
22 gone unfilled at a nursing school.

23 (2) Documented recruiting efforts by a nursing  
24 school.

25 (3) The geographic location of a nursing school.

26 (4) The type of nursing program offered at the

27 nursing school, including associate, bachelor's,  
28 master's, or doctoral degrees in nursing, and the need  
29 for the specific nursing program in the state.  
30 3. *Nurse educator scholarship program.*  
31 a. The commission shall establish a nurse educator  
32 scholarship program. Funding for the program may be  
33 provided through the health care workforce shortage  
34 fund or the health care professional and the Iowa  
35 needs nurses now initiative account created in section

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1 135.175. The goal of the nurse educator scholarship  
2 program is to address the waiting list of qualified  
3 applicants to Iowa's nursing schools by providing  
4 incentives for the training of additional nursing  
5 educators. For the purposes of this subsection, "*nurse*  
6 *educator*" means a registered nurse who holds a master's  
7 degree or doctorate degree and is employed as a faculty  
8 member who teaches nursing in a nursing education  
9 program as provided in 655 IAC 2.6 at a community  
10 college, an accredited private institution, or an  
11 institution of higher education governed by the state  
12 board of regents.  
13 b. The program shall consist of scholarships to  
14 further advance the education of nurses to become nurse  
15 educators. The program shall provide for scholarship  
16 payments in an amount established by rule for students  
17 who are preparing to teach in qualifying teaching  
18 positions.  
19 c. The commission, in consultation with the  
20 department of public health, the board of nursing,  
21 the department of education, and the Iowa nurses  
22 association, shall adopt rules pursuant to chapter  
23 17A relating to the establishment and administration  
24 of the nurse educator scholarship program. The rules  
25 shall include provisions specifying what constitutes  
26 a qualifying teaching position and the amount of any  
27 scholarship.  
28 4. *Nurse educator*  
29 *scholarship-in-exchange-for-service program.*  
30 a. The commission shall establish a nurse educator  
31 scholarship-in-exchange-for-service program. Funding  
32 for the program may be provided through the health care  
33 workforce shortage fund or the health care professional  
34 and Iowa needs nurses now initiative account created  
35 in section 135.175. The goal of the nurse educator

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1 scholarship-in-exchange-for-service program is to  
2 address the waiting list of qualified applicants to  
3 Iowa's nursing schools by providing incentives for the  
4 education of additional nursing educators. For the  
5 purposes of this subsection, "nurse educator" means  
6 a registered nurse who holds a master's degree or  
7 doctorate degree and is employed as a faculty member  
8 who teaches nursing in a nursing education program  
9 as provided in 655 IAC 2.6 at a community college,  
10 an accredited private institution, or an institution  
11 of higher education governed by the state board of  
12 regents.

13 *b.* The program shall consist of scholarships to  
14 further advance the education of nurses to become  
15 nurse educators. The program shall provide for  
16 scholarship-in-exchange-for-service payments in  
17 an amount established by rule for students who are  
18 preparing to teach in qualifying teaching positions for  
19 a period of not less than four consecutive academic  
20 years.

21 *c.* The scholarship-in-exchange-for-service  
22 recipient and the commission shall enter into an  
23 agreement specifying the obligations of the applicant  
24 and the commission. If the nurse educator leaves the  
25 qualifying teaching position prior to teaching for four  
26 consecutive academic years, the nurse educator shall be  
27 liable to repay the scholarship-in-exchange-for-service  
28 amount to the state plus interest as specified by rule.  
29 However, if the nurse educator leaves the qualified  
30 teaching position involuntarily, the nurse educator  
31 shall be liable to repay only a pro rata amount of the  
32 scholarship based on incomplete years of service.

33 *d.* The receipt of a nurse educator  
34 scholarship-in-exchange-for-service shall not  
35 impact eligibility of an individual for other

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1 financial incentives including but not limited to loan  
2 forgiveness programs.

3 *e.* The commission, in consultation with  
4 the department of public health, the board of  
5 nursing, the department of education, and the Iowa  
6 nurses association, shall adopt rules pursuant  
7 to chapter 17A relating to the establishment  
8 and administration of the nurse educator  
9 scholarship-in-exchange-for-service program. The  
10 rules shall include the provisions specifying what  
11 constitutes a qualifying teaching position and the  
12 amount of any scholarship-in-exchange-for-service.

13 ~~5. Repeal. This section is repealed June 30, 2016.~~

14 Sec. 89. EFFECTIVE UPON ENACTMENT. This division  
15 of this Act, being deemed of immediate importance,  
16 takes effect upon enactment.

17 Sec. 90. RETROACTIVE APPLICABILITY. This division  
18 of this Act is retroactively applicable to June 30,  
19 2016.

#### 20 DIVISION XVII

21 NON-STATE GOVERNMENT-OWNED NURSING FACILITY UPPER  
22 PAYMENT LIMIT SUPPLEMENTAL PAYMENT PROGRAM

23 Sec. 91. Section 249L.2, Code 2016, is amended by  
24 adding the following new subsections:

25 NEW SUBSECTION. 5A. “*Non-state governmental entity*”  
26 means a hospital authority, hospital district, health  
27 care district, city, or county.

28 NEW SUBSECTION. 5B. “*Non-state government-owned*  
29 *nursing facility*” means a nursing facility owned or  
30 operated by a non-state governmental entity for which  
31 a non-state governmental entity holds the nursing  
32 facility’s license and is party to the nursing  
33 facility’s Medicaid contract.

34 Sec. 92. Section 249L.2, subsection 6, Code 2016,  
35 is amended to read as follows:

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1 6. “*Nursing facility*” means a licensed nursing  
2 facility as defined in section 135C.1 that is a  
3 freestanding facility or a nursing facility operated by  
4 a hospital licensed pursuant to chapter 135B, but does  
5 not include a distinct-part skilled nursing unit or a  
6 swing-bed unit operated by a hospital, or a nursing  
7 facility owned by the state or federal government ~~or~~  
8 ~~other governmental unit.~~ “*Nursing facility*” includes  
9 a non-state government-owned nursing facility if  
10 the nursing facility participates in the non-state  
11 government-owned nursing facility upper payment limit  
12 supplemental payment program.

13 Sec. 93. NON-STATE GOVERNMENT-OWNED NURSING  
14 FACILITY UPPER PAYMENT LIMIT SUPPLEMENTAL PAYMENT  
15 PROGRAM.

16 1. The department of human services shall submit,  
17 to the centers for Medicare and Medicaid services  
18 (CMS) of the United States department of health and  
19 human services, a Medicaid state plan amendment to  
20 allow qualifying non-state government-owned nursing  
21 facilities to receive a supplemental payment in  
22 accordance with the upper payment limit requirements  
23 pursuant to 42 C.F.R. §447.272. The supplemental  
24 payment shall be in addition to the greater of the  
25 Medicaid fee-for-service per diem reimbursement rate  
26 or the per diem payment established for the nursing

27 facility under a Medicaid managed care contract.  
28 2. At a minimum, the Medicaid state plan amendment  
29 shall provide for all of the following:  
30 a. A non-state governmental entity shall provide  
31 the state share of the expected supplemental payment in  
32 the form of an intergovernmental transfer to the state.  
33 b. The state shall claim federal matching funds and  
34 shall make supplemental payments to eligible non-state  
35 governmental entities based on the supplemental amount

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1 as calculated by the state for each nursing facility  
2 for which a non-state governmental entity owns the  
3 nursing facility's license. A managed care contractor  
4 shall not retain any portion of the supplemental  
5 payment, but shall treat the supplemental payment  
6 as a pass through payment to the eligible non-state  
7 governmental entity.  
8 c. The supplemental payment program shall be budget  
9 neutral to the state. No general fund revenue shall  
10 be expended under the program including for costs  
11 of administration. If payments under the program  
12 result in overpayment to a nursing facility, or if CMS  
13 disallows federal participation related to a nursing  
14 facility's receipt or use of supplemental payments  
15 authorized under the program, the state may recoup  
16 an amount equivalent to the amount of supplemental  
17 payments overpaid or disallowed. Supplemental payments  
18 shall be subject to any adjustment for payments made in  
19 error, including but not limited to adjustments made  
20 by state or federal law, and the state may recoup an  
21 amount equivalent to any such adjustment.  
22 d. A nursing facility participating in the program  
23 shall notify the state of any changes in ownership that  
24 may affect the nursing facility's continued eligibility  
25 for the program within thirty days of any such change.  
26 e. No portion of the supplemental payment paid  
27 to a participating nursing facility may be used for  
28 contingent fees. Expenditures for development fees,  
29 legal fees, or consulting fees shall not exceed five  
30 percent of the supplemental funds received, annually,  
31 and any such expenditures shall be reported to the  
32 department of human services, and included in the  
33 department's annual report pursuant to subsection 3.  
34 f. The supplemental payment paid to a participating  
35 nursing facility shall only be used as specified in



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1 state and federal law. Supplemental payments paid to  
2 a participating nursing facility shall only be used as  
3 follows:

4 (1) A portion of the amount received may be used  
5 for nursing facility quality improvement initiatives  
6 including but not limited to educational scholarships  
7 and nonmandatory training. Priority in the awarding  
8 of contracts for such training shall be for Iowa-based  
9 organizations.

10 (2) A portion of the amount received may be  
11 used for nursing facility remodeling or renovation.  
12 Priority in the awarding of contracts for such  
13 remodeling or renovations shall be for Iowa-based  
14 organizations and skilled laborers.

15 (3) A portion of the amount received may be used  
16 for health information technology infrastructure and  
17 software. Priority in the awarding of contracts for  
18 such health information technology infrastructure and  
19 software shall be for Iowa-based organizations.

20 (4) A portion of the amount received may be  
21 used for endowments to offset costs associated with  
22 maintenance of hospitals licensed under chapter 135B  
23 and nursing facilities licensed under chapter 135C.

24 g. A non-state governmental entity shall only  
25 be eligible for supplemental payments attributable  
26 to up to 10 percent of the potential non-state  
27 government-owned nursing facilities licensed in the  
28 state.

29 3. Following receipt of approval and implementation  
30 of the program, the department shall submit a report to  
31 the governor and the general assembly, annually, on or  
32 before December 15, regarding the program. The report  
33 shall include, at a minimum, the name and location  
34 of participating non-state governmental entities and  
35 the non-state government-owned nursing facilities

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1 with which the non-state governmental entities have  
2 partnered to participate in the program; the amount  
3 of the matching funds provided by each non-state  
4 governmental entity; the net supplemental payment  
5 amount received by each participating non-governmental  
6 entity and non-state government-owned nursing facility;  
7 and the amount expended for each of the specified  
8 categories of approved expenditure.

9 4. The department of human services shall work  
10 collaboratively with representatives of nursing  
11 facilities, hospitals, and other affected stakeholders  
12 in adopting administrative rules, and in implementing

13 and administering this program.

14 5. As used in this section:

15 a. "Non-state governmental entity" means a hospital  
16 authority, hospital district, health care district,  
17 city, or county.

18 b. "Non-state government-owned nursing facility"  
19 means a nursing facility owned or operated by a  
20 non-state governmental entity for which a non-state  
21 governmental entity holds the nursing facility's  
22 license and is party to the nursing facility's Medicaid  
23 contract.

24 Sec. 94. EFFECTIVE UPON ENACTMENT. This division  
25 of this Act, being deemed of immediate importance,  
26 takes effect upon enactment.

27 Sec. 95. IMPLEMENTATION PROVISIONS.

28 1. The section of this division of this Act  
29 directing the department of human services to submit  
30 a Medicaid state plan amendment to CMS shall be  
31 implemented as soon as possible following enactment,  
32 consistent with all applicable federal requirements.

33 2. The sections of this division of this Act  
34 amending section 249L.2, shall only be implemented upon  
35 receipt by the department of human services of approval

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1 of the Medicaid state plan amendment by the centers for  
2 Medicare and Medicaid services of the United States  
3 department of health and human services, and if such  
4 approval is received, are applicable no earlier than  
5 the first day of the calendar quarter following the  
6 date of receipt of such approval.

#### 7 DIVISION XVIII

#### 8 TRAUMA CARE SYSTEM

9 Sec. 96. Section 147A.23, subsection 2, paragraph  
10 c, Code 2016, is amended to read as follows:

11 c. (1) Upon verification and the issuance of a  
12 certificate of verification, a hospital or emergency  
13 care facility agrees to maintain a level of commitment  
14 and resources sufficient to meet responsibilities  
15 and standards as required by the trauma care  
16 criteria established by rule under this subchapter.  
17 Verifications are valid for a period of three years  
18 or as determined by the department and are renewable.  
19 As part of the verification and renewal process, the  
20 department may conduct periodic on-site reviews of the  
21 services and facilities of the hospital or emergency  
22 care facility.

23 (2) Notwithstanding subparagraph (1), the  
24 department shall not decrease a level II certificate  
25 of verification issued to a trauma care facility by  
26 the department on or before July 1, 2015, unless the

27 facility subsequently fails to comply with the trauma  
28 care criteria established in administrative rules in  
29 effect on July 1, 2015.

30 Sec. 97. EFFECTIVE UPON ENACTMENT. This division  
31 of this Act, being deemed of immediate importance,  
32 takes effect upon enactment.

33 Sec. 98. RETROACTIVE APPLICABILITY. This division  
34 of this Act applies retroactively to June 30, 2015.

35 DIVISION XIX

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1 MENTAL HEALTH AND DISABILITY SERVICES REGIONS —  
2 FUNDING

3 Sec. 99. MENTAL HEALTH AND DISABILITY SERVICES  
4 REGIONS — FUNDING.

5 1. There is appropriated from the general fund of  
6 the state to the department of human services for the  
7 fiscal year beginning July 1, 2016, and ending June 30,  
8 2017, the following amount, or so much thereof as is  
9 necessary, to be used for the purpose designated:

10 For a grant to a five-county mental health and  
11 disability services region with a population of between  
12 290,000 to 300,000 as determined by the latest federal  
13 decennial census, for the provision of mental health  
14 and disability services within the region:

15 ..... \$ 250,000

16 The moneys appropriated in this subsection are  
17 contingent upon the continuation of sustainable service  
18 funding relationships between all counties in the  
19 region for the fiscal year beginning July 1, 2016,  
20 and ending June 30, 2017. The department and the  
21 region shall enter into a memorandum of understanding  
22 regarding the use of the moneys by the region prior to  
23 the region's receipt of moneys under this subsection.

24 2. There is appropriated from the general fund of  
25 the state to the department of human services for the  
26 fiscal year beginning July 1, 2016, and ending June 30,  
27 2017, the following amount, or so much thereof as is  
28 necessary, to be used for the purpose designated:

29 For a grant to a mental health and disability  
30 services region with a population between 560,000  
31 and 565,000 as determined by the latest federal  
32 decennial census, for the provision of mental health  
33 and disability services within the region:

34 ..... \$ 250,000

35 The moneys appropriated in this subsection are

1 contingent upon the continuation of sustainable service  
 2 funding relationships between the counties in the  
 3 region for the fiscal year beginning July 1, 2016,  
 4 and ending June 20, 2017. The department and the  
 5 region shall enter into a memorandum of understanding  
 6 regarding the use of the moneys prior to the region's  
 7 receipt of the moneys under this subsection.

8 3. There is appropriated from the general fund of  
 9 the state to the department of human services for the  
 10 fiscal year beginning July 1, 2016, and ending June 30,  
 11 2017, the following amount, or so much thereof as is  
 12 necessary, to be used for the purpose designated:

13 For a grant to a single-county mental health and  
 14 disability services region with a population of over  
 15 350,000 as determined by the latest federal decennial  
 16 census, for the provision of mental health and  
 17 disability services within the region:  
 18 ..... \$ 2,500,000

19 The department and the region shall enter into  
 20 a memorandum of understanding regarding the use of  
 21 the moneys and detailing the provisions of the plan  
 22 prior to the region's receipt of moneys under this  
 23 subsection.

24 4. The department shall distribute moneys  
 25 appropriated in this section within 60 days of the date  
 26 of signing of the memorandum of understanding between  
 27 the department and each region.

28 5. Moneys awarded under this section shall be used  
 29 by the regions consistent with each region's service  
 30 system management plan as approved by the department.

31 DIVISION XX  
 32 MENTAL HEALTH AND DISABILITY SERVICES REDESIGN PROGRESS  
 33 REPORT

34 Sec. 100. MENTAL HEALTH AND DISABILITY SERVICES  
 35 REDESIGN PROGRESS REPORT. The department of human

1 services shall review and report progress on the  
 2 implementation of the adult mental health and  
 3 disability services redesign and shall identify  
 4 any challenges faced in achieving the goals of the  
 5 redesign. The progress report shall include but  
 6 not be limited to information regarding the mental  
 7 health and disability services regional service system  
 8 including governance, management, and administration;  
 9 the implementation of best practices including  
 10 evidence-based best practices; the availability of,  
 11 access to, and provision of initial core services  
 12 and additional core services to and for required

13 core service populations and additional core service  
 14 populations; and the financial stability and fiscal  
 15 viability of the redesign. The department shall  
 16 submit its report with findings to the governor and the  
 17 general assembly no later than November 15, 2016.

18 DIVISION XXI

19 REFUGEE RISE AMERICORPS PROGRAM

20 Sec. 101. Section 15H.5, subsection 5, paragraph a,  
 21 Code 2016, is amended to read as follows:

22 a. Funding for the Iowa summer youth corps program,  
 23 the Iowa green corps program established pursuant  
 24 to section 15H.6, ~~and~~ the Iowa reading corps program  
 25 established pursuant to section 15H.7, and the  
 26 RefugeeRISE AmeriCorps program established pursuant to  
 27 section 15H.8, shall be obtained from private sector,  
 28 and local, state, and federal government sources, or  
 29 from other available funds credited to the community  
 30 programs account, which shall be created within the  
 31 economic development authority under the authority of  
 32 the commission. Moneys available in the account for a  
 33 fiscal year are appropriated to the commission to be  
 34 used for the programs. The commission may establish an  
 35 escrow account within the authority and obligate moneys

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1 within that escrow account for tuition or program  
 2 payments to be made beyond the term of any fiscal year.  
 3 Notwithstanding section 12C.7, subsection 2, interest  
 4 earned on moneys in the community programs account  
 5 shall be credited to the account. Notwithstanding  
 6 section 8.33, moneys in the community programs account  
 7 or escrow account shall not revert to the general fund  
 8 but shall remain available for expenditure in future  
 9 fiscal years.

10 Sec. 102. **NEW SECTION. 15H.8 RefugeeRISE**  
 11 **AmeriCorps program.**

12 1. a. The Iowa commission on volunteer service, in  
 13 collaboration with the department of human services,  
 14 shall establish a Refugee Rebuild, Integrate, Serve,  
 15 Empower (RefugeeRISE) AmeriCorps program to increase  
 16 community integration and engagement for diverse  
 17 refugee communities in rural and urban areas across the  
 18 state.

19 b. The commission, in collaboration with the  
 20 department of human services, may adopt rules pursuant  
 21 to chapter 17A to implement and administer this  
 22 section.

23 2. The commission may use moneys in and lawfully  
 24 available to the community programs account created in  
 25 section 15H.5 to fund the program.

26 3. The commission shall submit an annual report

27 to the general assembly and the department of human  
28 services relating to the efficacy of the program.

29 **DIVISION XXII**  
30 **MENINGOCOCCAL IMMUNIZATION**  
31 Sec. 103. Section 139A.8, subsection 2, Code 2016,  
32 is amended by adding the following new paragraph:  
33 **NEW PARAGRAPH.** *e.* A person shall not be enrolled  
34 in school in the seventh grade or twelfth grade in  
35 Iowa without evidence of adequate immunization against

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1 meningococcal disease in accordance with standards  
2 approved by the United States public health service  
3 of the United States department of health and human  
4 services for such biological products and is in  
5 accordance with immunization practices recommended by  
6 the advisory committee on immunization practices of the  
7 centers for disease control and prevention.

8 **DIVISION XXIII**  
9 **MEDICATION SYNCHRONIZATION**  
10 Sec. 104. **NEW SECTION. 514C.5A Prescription drug**  
11 **medication synchronization.**

12 1. A carrier, as defined in section 513B.2, that  
13 provides prescription drug coverage through a policy  
14 or contract delivered, issued for delivery, continued,  
15 or renewed on or after January 1, 2017, shall offer  
16 medication synchronization services that allow for the  
17 alignment of refill dates for a covered individual's  
18 prescription drugs that are a covered benefit. Such  
19 carrier shall comply with all of the following:  
20 *a.* Shall not deny coverage and shall prorate the  
21 cost sharing rate for a prescription drug that is a  
22 covered benefit and is dispensed by a network pharmacy  
23 in less than the standard refill amount, if the covered  
24 individual requests both enrollment in a medication  
25 synchronization program and a less-than-standard refill  
26 amount for the purposes of medication synchronization.  
27 *b.* Shall accept early refill and short fill  
28 requests for prescription drugs using the submission  
29 clarification and message codes adopted by the national  
30 council for prescription drug plans or alternative  
31 codes specified by the carrier.  
32 *c.* Shall pay the ingredient cost and the dispensing  
33 fee in accordance with the contracted rate for each  
34 submitted claim, regardless of the days' supply  
35 specified in the claim submitted. However, compounded

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1 medications shall not be eligible for the ingredient  
2 cost payment.

3 2. For purposes of this section, “*medication*  
4 *synchronization*” means the coordination of medication  
5 refills for a patient taking two or more medications  
6 for a chronic condition that are dispensed by a single  
7 network pharmacy to facilitate the synchronization  
8 of an individual’s medications for the purpose of  
9 improving medication adherence.

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## DIVISION XXIV

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## AUTISM SPECTRUM DISORDERS COVERAGE

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Sec. 105. Section 225D.1, subsection 8, Code  
2016, as otherwise amended by this Act, if enacted, is  
amended to read as follows:

8. “*Eligible individual*” means a child less than  
fourteen years of age who has been diagnosed with  
autism based on a diagnostic assessment of autism,  
is not otherwise eligible for coverage for applied  
behavioral analysis treatment under the medical  
assistance program, section ~~514C.28~~ 514C.31, or other  
private insurance coverage, and whose household income  
does not exceed five hundred percent of the federal  
poverty level.

Sec. 106. Section 225D.2, subsection 2, paragraph  
1, Code 2016, is amended to read as follows:

1. Proof of eligibility for the autism support  
program that includes a written denial for coverage or  
a benefits summary indicating that applied behavioral  
analysis treatment is not a covered benefit for which  
the applicant is eligible, under the Medicaid program,  
section ~~514C.28~~ 514C.31, or other private insurance  
coverage.

Sec. 107. Section 225D.2, subsection 3, Code 2016,  
is amended to read as follows:

3. Moneys in the autism support fund created under

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1 subsection 5 shall be expended only for eligible  
2 individuals who are not eligible for coverage for  
3 applied behavioral analysis treatment under the medical  
4 assistance program, section ~~514C.28~~ 514C.31, or other  
5 private insurance. Payment for applied behavioral  
6 analysis treatment through the fund shall be limited  
7 to only applied behavioral analysis treatment that is  
8 clinically relevant and only to the extent approved  
9 under the guidelines established by rule of the  
10 department.

11 Sec. 108. NEW SECTION. 514C.31 Autism spectrum  
12 disorders coverage.

- 13 1. Notwithstanding the uniformity of treatment  
 14 requirements of section 514C.6, a group policy,  
 15 contract, or plan providing for third-party payment or  
 16 prepayment of health, medical, and surgical coverage  
 17 benefits shall provide coverage benefits to covered  
 18 individuals under twenty-two years of age for the  
 19 screening, diagnosis, and treatment of autism spectrum  
 20 disorders if the policy, contract, or plan is either  
 21 of the following:
- 22 a. A policy, contract, or plan issued by a carrier,  
 23 as defined in section 513B.2, or an organized delivery  
 24 system authorized under 1993 Iowa Acts, chapter 158,  
 25 to an employer who on at least fifty percent of the  
 26 employer's working days during the preceding calendar  
 27 year employed more than fifty full-time equivalent  
 28 employees. In determining the number of full-time  
 29 equivalent employees of an employer, employers who  
 30 are affiliated or who are able to file a consolidated  
 31 tax return for purposes of state taxation shall be  
 32 considered one employer.
- 33 b. A plan established pursuant to chapter 509A for  
 34 public employees.
- 35 2. As used in this section, unless the context

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- 1 otherwise requires:
- 2 a. "*Applied behavior analysis*" means the design,  
 3 implementation, and evaluation of environmental  
 4 modifications, using behavioral stimuli and  
 5 consequences, to produce socially significant  
 6 improvement in human behavior or to prevent loss of  
 7 attained skill or function, including the use of direct  
 8 observation, measurement, and functional analysis of  
 9 the relations between environment and behavior.
- 10 b. "*Autism spectrum disorder*" means any of  
 11 the pervasive developmental disorders including  
 12 autistic disorder, Asperger's disorder, and pervasive  
 13 developmental disorders not otherwise specified. The  
 14 commissioner, by rule, shall define "*autism spectrum*  
 15 *disorder*" consistent with definitions provided in  
 16 the most recent edition of the American psychiatric  
 17 association's diagnostic and statistical manual of  
 18 mental disorders, as such definitions may be amended  
 19 from time to time. The commissioner may adopt the  
 20 definitions provided in such manual by reference.
- 21 c. "*Behavioral health treatment*" means counseling  
 22 and treatment programs, including applied behavior  
 23 analysis, that meet the following requirements:
- 24 (1) Are necessary to develop, maintain, or restore,  
 25 to the maximum extent practicable, the functioning of  
 26 an individual.



27 (2) Are provided or supervised by a behavior  
28 analyst certified by a nationally recognized board, or  
29 by a licensed psychologist, so long as the services are  
30 performed commensurate with the psychologist's formal  
31 training and supervised experience.  
32 d. "*Diagnosis of autism spectrum disorder*" means the  
33 use of medically necessary assessments, evaluations, or  
34 tests to diagnose whether an individual has an autism  
35 spectrum disorder.

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1 e. "*Pharmacy care*" means medications prescribed by  
2 a licensed physician and any assessment, evaluation,  
3 or test prescribed or ordered by a licensed physician  
4 to determine the need for or effectiveness of such  
5 medications.  
6 f. "*Psychiatric care*" means direct or consultative  
7 services provided by a licensed physician who  
8 specializes in psychiatry.  
9 g. "*Psychological care*" means direct or consultative  
10 services provided by a licensed psychologist.  
11 h. "*Therapeutic care*" means services provided by  
12 a licensed speech pathologist, licensed occupational  
13 therapist, or licensed physical therapist.  
14 i. "*Treatment for autism spectrum disorder*" means  
15 evidence-based care and related equipment prescribed  
16 or ordered for an individual diagnosed with an autism  
17 spectrum disorder by a licensed physician or a licensed  
18 psychologist who determines that the treatment is  
19 medically necessary, including but not limited to the  
20 following:  
21 (1) Behavioral health treatment.  
22 (2) Pharmacy care.  
23 (3) Psychiatric care.  
24 (4) Psychological care.  
25 (5) Therapeutic care.  
26 j. "*Treatment plan*" means a plan for the treatment  
27 of an autism spectrum disorder developed by a licensed  
28 physician or licensed psychologist pursuant to a  
29 comprehensive evaluation or reevaluation performed  
30 in a manner consistent with the most recent clinical  
31 report or recommendations of the American academy of  
32 pediatrics, as determined by the commissioner by rule.  
33 3. Coverage for applied behavior analysis is  
34 required pursuant to this section for a maximum  
35 benefit amount of thirty-six thousand dollars per year.

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1 Beginning in 2020, the commissioner shall, on or before  
2 July 1 of each calendar year, publish an adjustment for  
3 inflation to the maximum benefit required equal to the  
4 percentage change in the medical care component of the  
5 United States department of labor consumer price index  
6 for all urban consumers in the preceding year, and the  
7 published adjusted maximum benefit shall be applicable  
8 to group policies, contracts, or plans subject to  
9 this section that are delivered, issued for delivery,  
10 continued, or renewed on or after January 1 of the  
11 following calendar year. Payments made under a group  
12 policy, contract, or plan subject to this section on  
13 behalf of a covered individual for any treatment other  
14 than applied behavior analysis shall not be applied  
15 toward the maximum benefit established under this  
16 subsection.

17 4. Coverage for applied behavior analysis shall  
18 include the services of persons working under the  
19 supervision of a behavior analyst certified by a  
20 nationally recognized board or under the supervision of  
21 a licensed psychologist, to provide applied behavior  
22 analysis.

23 5. Coverage required pursuant to this section shall  
24 not be subject to any limits on the number of visits an  
25 individual may make for treatment of an autism spectrum  
26 disorder.

27 6. Coverage required pursuant to this section  
28 shall not be subject to dollar limits, deductibles,  
29 copayments, or coinsurance provisions, or any other  
30 general exclusions or limitations of a group plan  
31 that are less favorable to an insured than the dollar  
32 limits, deductibles, copayments, or coinsurance  
33 provisions that apply to substantially all medical and  
34 surgical benefits under the policy, contract, or plan,  
35 except as provided in subsection 3.

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1 7. Coverage required by this section shall be  
2 provided in coordination with coverage required for the  
3 treatment of autistic disorders pursuant to section  
4 514C.22.

5 8. This section shall not be construed to limit  
6 benefits which are otherwise available to an individual  
7 under a group policy, contract, or plan.

8 9. This section shall not be construed as affecting  
9 any obligation to provide services to an individual  
10 under an individualized family service plan, an  
11 individualized education program, or an individualized  
12 service plan.

13 10. Except for inpatient services, if an insured is  
14 receiving treatment for an autism spectrum disorder,  
15 an insurer is entitled to review the treatment plan  
16 annually, unless the insurer and the insured's treating  
17 physician or psychologist agree that a more frequent  
18 review is necessary. An agreement giving an insurer  
19 the right to review the treatment plan of an insured  
20 more frequently applies only to that insured and does  
21 not apply to other individuals being treated for autism  
22 spectrum disorders by a physician or psychologist. The  
23 cost of conducting a review of a treatment plan shall  
24 be borne by the insurer.

25 11. This section shall not apply to accident-only,  
26 specified disease, short-term hospital or medical,  
27 hospital confinement indemnity, credit, dental, vision,  
28 Medicare supplement, long-term care, basic hospital  
29 and medical-surgical expense coverage as defined  
30 by the commissioner, disability income insurance  
31 coverage, coverage issued as a supplement to liability  
32 insurance, workers' compensation or similar insurance,  
33 or automobile medical payment insurance, or individual  
34 accident and sickness policies issued to individuals or  
35 to individual members of a member association.

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1 12. The commissioner shall adopt rules pursuant to  
2 chapter 17A to implement and administer this section.

3 13. An insurer shall not terminate coverage of an  
4 individual solely because the individual is diagnosed  
5 with or has received treatment for an autism spectrum  
6 disorder.

7 14. *a.* By February 1, 2018, and every February 1  
8 thereafter, the commissioner shall submit a report to  
9 the general assembly regarding implementation of the  
10 coverage required under this section. The report shall  
11 include information concerning but not limited to all  
12 of the following:

13 (1) The total number of insureds diagnosed with  
14 autism spectrum disorder in the immediately preceding  
15 calendar year.

16 (2) The total cost of all claims paid out in the  
17 immediately preceding calendar year for coverage  
18 required under this section.

19 (3) The cost of such coverage per insured per  
20 month.

21 (4) The average cost per insured per month for  
22 coverage of applied behavior analysis required under  
23 this section.

24 *b.* All third-party payment provider policies,  
25 contracts, or plans, as specified in subsection 1,  
26 and plans established pursuant to chapter 509A shall

27 provide the commissioner with data requested by the  
 28 commissioner for inclusion in the annual report.  
 29 15. If any provision of this section or its  
 30 application to any person or circumstance is held  
 31 invalid, the invalidity does not affect other  
 32 provisions or application of this section which can  
 33 be given effect without the invalid provision or  
 34 application, and to this end the provisions of this  
 35 section are severable.

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1 16. This section applies to third-party payment  
 2 provider policies, contracts, or plans, as specified  
 3 in subsection 1, and to plans established pursuant to  
 4 chapter 509A, that are delivered, issued for delivery,  
 5 continued, or renewed in this state on or after January  
 6 1, 2017.  
 7 Sec. 109. REPEAL. Section 514C.28, Code 2016, is  
 8 repealed.  
 9 Sec. 110. EFFECTIVE DATE. The following provisions  
 10 of this division of this Act take effect January 1,  
 11 2017:  
 12 1. The sections of this division of this Act  
 13 amending sections 225D.1 and 225D.2.  
 14 2. The section of this division of this Act  
 15 repealing section 514C.28.>

COMMITTEE ON APPROPRIATIONS  
 ROBERT E. DVORSKY, Chair

## S-5159

1 Amend the amendment, S-5157, to House File 2459,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 20, after line 34 by inserting:  
 5 <DIVISION \_\_  
 6 SALES AND USE TAXES AND THE NATURAL RESOURCES AND  
 7 OUTDOOR RECREATION TRUST FUND  
 8 Sec. \_\_. Section 423.2, subsection 1, unnumbered  
 9 paragraph 1, Code 2016, is amended to read as follows:  
 10 There is imposed a tax of ~~six percent at the rate~~  
 11 specified in subsection 14 upon the sales price of  
 12 all sales of tangible personal property, consisting  
 13 of goods, wares, or merchandise, sold at retail in  
 14 the state to consumers or users except as otherwise  
 15 provided in this subchapter.  
 16 Sec. \_\_. Section 423.2, subsections 2 and 3, Code  
 17 2016, are amended to read as follows:  
 18 2. A tax of ~~six percent at the rate specified in~~  
 19 subsection 14 is imposed upon the sales price of the

20 sale or furnishing of gas, electricity, water, heat,  
21 pay television service, and communication service,  
22 including the sales price from such sales by any  
23 municipal corporation or joint water utility furnishing  
24 gas, electricity, water, heat, pay television service,  
25 and communication service to the public in its  
26 proprietary capacity, except as otherwise provided in  
27 this subchapter, when sold at retail in the state to  
28 consumers or users.

29 3. A tax ~~of six percent at the rate specified~~  
30 in subsection 14 is imposed upon the sales price  
31 of all sales of tickets or admissions to places of  
32 amusement, fairs, and athletic events except those of  
33 elementary and secondary educational institutions. A  
34 tax ~~of six percent at the rate specified in subsection~~  
35 14 is imposed on the sales price of an entry fee

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1 or like charge imposed solely for the privilege of  
2 participating in an activity at a place of amusement,  
3 fair, or athletic event unless the sales price of  
4 tickets or admissions charges for observing the same  
5 activity are taxable under this subchapter. A tax ~~of~~  
6 ~~six percent at the rate specified in subsection 14~~ is  
7 imposed upon that part of private club membership fees  
8 or charges paid for the privilege of participating in  
9 any athletic sports provided club members.

10 Sec. \_\_\_\_ Section 423.2, subsection 4, paragraph a,  
11 Code 2016, is amended to read as follows:

12 a. A tax ~~of six percent at the rate specified in~~  
13 subsection 14 is imposed upon the sales price derived  
14 from the operation of all forms of amusement devices  
15 and games of skill, games of chance, raffles, and  
16 bingo games as defined in chapter 99B, and card game  
17 tournaments conducted under section 99B.7B, that are  
18 operated or conducted within the state, the tax to  
19 be collected from the operator in the same manner as  
20 for the collection of taxes upon the sales price of  
21 tickets or admission as provided in this section.  
22 Nothing in this subsection shall legalize any games of  
23 skill or chance or slot-operated devices which are now  
24 prohibited by law.

25 Sec. \_\_\_\_ Section 423.2, subsection 5, Code 2016,  
26 is amended to read as follows:

27 5. There is imposed a tax ~~of six percent at the~~  
28 rate specified in subsection 14 upon the sales price  
29 from the furnishing of services as defined in section  
30 423.1.

31 Sec. \_\_\_\_ Section 423.2, subsection 7, paragraph a,  
32 unnumbered paragraph 1, Code 2016, is amended to read

33 as follows:

34 A tax ~~of six percent at the rate specified in~~  
35 subsection 14 is imposed upon the sales price from the

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1 sales, furnishing, or service of solid waste collection  
2 and disposal service.

3 Sec. \_\_\_. Section 423.2, subsection 8, paragraph a,  
4 Code 2016, is amended to read as follows:

5 a. A tax ~~of six percent at the rate specified in~~  
6 subsection 14 is imposed on the sales price from sales  
7 of bundled transactions. For the purposes of this  
8 subsection, a “*bundled transaction*” is the retail sale  
9 of two or more distinct and identifiable products,  
10 except real property and services to real property,  
11 which are sold for one nonitemized price. A “*bundled*  
12 *transaction*” does not include the sale of any products  
13 in which the sales price varies, or is negotiable,  
14 based on the selection by the purchaser of the products  
15 included in the transaction.

16 Sec. \_\_\_. Section 423.2, subsection 9, Code 2016,  
17 is amended to read as follows:

18 9. A tax ~~of six percent at the rate specified in~~  
19 subsection 14 is imposed upon the sales price from  
20 any mobile telecommunications service, including  
21 all paging services, that this state is allowed to  
22 tax pursuant to the provisions of the federal Mobile  
23 Telecommunications Sourcing Act, Pub. L. No. 106-252,  
24 4 U.S.C. §116 et seq. For purposes of this subsection,  
25 taxes on mobile telecommunications service, as defined  
26 under the federal Mobile Telecommunications Sourcing  
27 Act that are deemed to be provided by the customer’s  
28 home service provider, shall be paid to the taxing  
29 jurisdiction whose territorial limits encompass the  
30 customer’s place of primary use, regardless of where  
31 the mobile telecommunications service originates,  
32 terminates, or passes through and shall in all other  
33 respects be taxed in conformity with the federal Mobile  
34 Telecommunications Sourcing Act. All other provisions  
35 of the federal Mobile Telecommunications Sourcing Act

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1 are adopted by the state of Iowa and incorporated into  
2 this subsection by reference. With respect to mobile  
3 telecommunications service under the federal Mobile  
4 Telecommunications Sourcing Act, the director shall, if  
5 requested, enter into agreements consistent with the  
6 provisions of the federal Act.

7 Sec. \_\_\_. Section 423.2, subsection 11, paragraph  
8 b, subparagraph (2), Code 2016, is amended to read as

9 follows:

10 (2) Transfer from the remaining revenues the  
11 amounts required under Article VII, section 10, of  
12 the Constitution of the State of Iowa to the natural  
13 resources and outdoor recreation trust fund created in  
14 section 461.31, ~~if applicable.~~

15 Sec. \_\_\_. Section 423.2, subsection 14, Code 2016,  
16 is amended by striking the subsection and inserting in  
17 lieu thereof the following:

18 14. a. For the period beginning July 1, 2017, and  
19 ending June 30, 2018, the sales tax rate is six and  
20 one-eighth percent.

21 b. For the period beginning July 1, 2018, and  
22 ending June 30, 2019, the sales tax rate is six and  
23 two-eighths percent.

24 c. For the period beginning July 1, 2019, and  
25 ending December 31, 2029, the sales tax rate is six and  
26 three-eighths percent.

27 d. Beginning January 1, 2030, the sales tax rate is  
28 five and three-eighths percent.

29 Sec. \_\_\_. Section 423.5, subsection 1, unnumbered  
30 paragraph 1, Code 2016, is amended to read as follows:

31 Except as provided in paragraph "c", an excise tax  
32 at the rate of ~~six percent~~ specified in subsection 5  
33 of the purchase price or installed purchase price is  
34 imposed on the following:

35 Sec. \_\_\_. Section 423.5, subsection 5, Code 2016,

Page 5

1 is amended by striking the subsection and inserting in  
2 lieu thereof the following:

3 5. a. For the period beginning July 1, 2017, and  
4 ending June 30, 2018, the use tax rate is six and  
5 one-eighth percent.

6 b. For the period beginning July 1, 2018, and  
7 ending June 30, 2019, the use tax rate is six and  
8 two-eighths percent.

9 c. For the period beginning July 1, 2019, and  
10 ending December 31, 2029, the use tax rate is six and  
11 three-eighths percent.

12 d. Beginning January 1, 2030, the use tax rate is  
13 five and three-eighths percent.

14 Sec. \_\_\_. Section 423.43, subsection 1, paragraph  
15 b, Code 2016, is amended to read as follows:

16 b. Subsequent to the deposit into the general fund  
17 of the state ~~and after the transfer of such~~ pursuant to  
18 paragraph "a", the department shall do the following in  
19 the order prescribed:

20 (1) ~~Transfer the revenues collected under chapter~~  
21 ~~423B, the department shall transfer one sixth,~~

22 (2) (a) Transfer the applicable percentage

23 as specified in subparagraph division (b) of such  
 24 education revenues to the secure an advanced vision for  
 25 education fund created in section 423F.2.

26 (b) (i) For the period beginning July 1, 2017,  
 27 and ending June 30, 2018, the applicable percentage  
 28 is sixteen and three thousand two hundred sixty-five  
 29 ten-thousandths percent.

30 (ii) For the period beginning July 1, 2018, and  
 31 ending June 30, 2019, the applicable percentage is  
 32 sixteen percent.

33 (iii) For the period beginning July 1, 2019, and  
 34 ending December 31, 2029, the applicable percentage  
 35 is fifteen and six thousand eight hundred sixty-three

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1 ten-thousandths percent.

2 (c) This ~~paragraph~~ subparagraph (2) is repealed  
 3 December 31, 2029.

4 Sec. \_\_\_\_. PURPOSE. The purpose of this division  
 5 of this Act is to provide for the implementation of  
 6 Article VII, section 10, of the Constitution of the  
 7 State of Iowa by fully funding the natural resources  
 8 and outdoor recreation trust fund as created in section  
 9 461.31, pursuant to Article VII, section 10, of the  
 10 Constitution of the State of Iowa.

11 Sec. \_\_\_\_. EFFECTIVE DATE. This division of this  
 12 Act takes effect July 1, 2017.

13 DIVISION \_\_\_\_  
 14 INCOME TAXES

15 Sec. \_\_\_\_. Section 422.5, subsection 1, Code 2016,  
 16 is amended by adding the following new paragraph:

17 NEW PARAGRAPH. *0j.* (1) For each tax year  
 18 beginning in the period beginning January 1, 2018, and  
 19 ending December 31, 2029, the department of revenue  
 20 shall determine the amount of sales and use tax  
 21 revenues generated for the fiscal year ending June 30  
 22 during the applicable tax year from the increases in  
 23 the sales and use tax rates enacted in this Act, and  
 24 shall certify such amount to the governor and general  
 25 assembly.

26 (2) For each tax year beginning in the period  
 27 beginning January 1, 2018, and ending December 31,  
 28 2029, the rates of tax in paragraphs "a" through "i"  
 29 shall be reduced as provided in subparagraph (3) by an  
 30 amount that will in the aggregate reduce the individual  
 31 income tax revenues for the applicable tax year by the  
 32 dollar amount certified by the department of revenue  
 33 pursuant to subparagraph (1) for the relevant fiscal  
 34 year ending June 30 during the applicable tax year.

35 (3) (a) The rate reduction for a tax year shall be



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1 accomplished by applying the applicable dollar amount  
2 to a reduction in the rate imposed in paragraph "a",  
3 but not below zero.

4 (b) If such rate reduction in subparagraph division  
5 (a) does not accomplish the full rate decrease required  
6 by subparagraph (2), the remaining applicable dollar  
7 amount shall be applied to a reduction in the rate  
8 imposed in paragraph "b", but not below zero.

9 (c) If such rate reduction in subparagraph  
10 divisions (a) and (b) do not accomplish the full rate  
11 decrease required by subparagraph (2), the remaining  
12 applicable dollar amount shall be applied to a  
13 reduction in the rate imposed in paragraph "c", but not  
14 below zero.

15 (d) If such rate reduction in subparagraph  
16 divisions (a) through (c) do not accomplish the  
17 full rate decrease required by subparagraph (2), the  
18 remaining applicable dollar amount shall be applied to  
19 a reduction in the rate imposed in paragraph "d", but  
20 not below zero.

21 (e) If such rate reduction in subparagraph  
22 divisions (a) through (d) do not accomplish the  
23 full rate decrease required by subparagraph (2), the  
24 remaining applicable dollar amount shall be applied to  
25 a reduction in the rate imposed in paragraph "e", but  
26 not below zero.

27 (f) If such rate reduction in subparagraph  
28 divisions (a) through (e) do not accomplish the  
29 full rate decrease required by subparagraph (2), the  
30 remaining applicable dollar amount shall be applied to  
31 a reduction in the rate imposed in paragraph "f", but  
32 not below zero.

33 (g) If such rate reduction in subparagraph  
34 divisions (a) through (f) do not accomplish the  
35 full rate decrease required by subparagraph (2), the

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1 remaining applicable dollar amount shall be applied to  
2 a reduction in the rate imposed in paragraph "g", but  
3 not below zero.

4 (h) If such rate reduction in subparagraph  
5 divisions (a) through (g) do not accomplish the  
6 full rate decrease required by subparagraph (2), the  
7 remaining applicable dollar amount shall be applied to  
8 a reduction in the rate imposed in paragraph "h", but  
9 not below zero.

10 (i) If such rate reduction in subparagraph  
11 divisions (a) through (h) do not accomplish the  
12 full rate decrease required by subparagraph (2), the

13 remaining applicable dollar amount shall be applied to  
 14 a reduction in the rate imposed in paragraph "i", but  
 15 not below zero.

16 (4) The rates of tax for paragraphs "a" through  
 17 "i", as determined under this paragraph for tax years  
 18 beginning on or after January 1, 2018, but before  
 19 January 1, 2029, shall only apply to the tax year  
 20 for which they are calculated. The rates of tax for  
 21 paragraphs "a" through "i", as determined under this  
 22 paragraph for the tax year beginning January 1, 2029,  
 23 shall apply to all tax years beginning on or after  
 24 January 1, 2029.

25 Sec. \_\_\_\_ Section 422.5, subsection 1, paragraph j,  
 26 Code 2016, is amended to read as follows:

27 j. (1) The tax imposed upon the taxable income  
 28 of a nonresident shall be computed by reducing the  
 29 amount determined pursuant to paragraphs "a" through  
 30 ~~"z"~~ "0j" by the amounts of nonrefundable credits under  
 31 this division and by multiplying this resulting amount  
 32 by a fraction of which the nonresident's net income  
 33 allocated to Iowa, as determined in section 422.8,  
 34 subsection 2, paragraph "a", is the numerator and the  
 35 nonresident's total net income computed under section

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1 422.7 is the denominator. This provision also applies  
 2 to individuals who are residents of Iowa for less than  
 3 the entire tax year.

4 (2) (a) The tax imposed upon the taxable income  
 5 of a resident shareholder in an S corporation or of  
 6 an estate or trust with a situs in Iowa that is a  
 7 shareholder in an S corporation, which S corporation  
 8 has in effect for the tax year an election under  
 9 subchapter S of the Internal Revenue Code and carries  
 10 on business within and without the state, may be  
 11 computed by reducing the amount determined pursuant  
 12 to paragraphs "a" through ~~"z"~~ "0j" by the amounts  
 13 of nonrefundable credits under this division and by  
 14 multiplying this resulting amount by a fraction of  
 15 which the resident's or estate's or trust's net income  
 16 allocated to Iowa, as determined in section 422.8,  
 17 subsection 2, paragraph "b", is the numerator and the  
 18 resident's or estate's or trust's total net income  
 19 computed under section 422.7 is the denominator. If  
 20 a resident shareholder, or an estate or trust with  
 21 a situs in Iowa that is a shareholder, has elected  
 22 to take advantage of this subparagraph (2), and for  
 23 the next tax year elects not to take advantage of  
 24 this` subparagraph, the resident or estate or trust  
 25 shareholder shall not reelect to take advantage of  
 26 this subparagraph for the three tax years immediately

27 following the first tax year for which the shareholder  
28 elected not to take advantage of this subparagraph,  
29 unless the director consents to the reelection. This  
30 subparagraph also applies to individuals who are  
31 residents of Iowa for less than the entire tax year.

32 (b) This subparagraph (2) shall not affect the  
33 amount of the taxpayer's checkoffs under this division,  
34 the credits from tax provided under this division, and  
35 the allocation of these credits between spouses if

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1 the taxpayers filed separate returns or separately on  
2 combined returns.

3 Sec. \_\_\_. EFFECTIVE DATE. This division of this  
4 Act takes effect January 1, 2018.

5 Sec. \_\_\_. APPLICABILITY. This division of this  
6 Act applies to tax years beginning on or after January  
7 1, 2018.

8 DIVISION \_\_\_\_  
9 WATER QUALITY AND WATER QUALITY EXCISE TAX

10 Sec. \_\_\_. Section 16.134, Code 2016, is amended to  
11 read as follows:

12 **16.134 Wastewater and drinking water treatment**  
13 **financial assistance program.**

14 1. The Iowa finance authority shall establish and  
15 administer a wastewater and drinking water treatment  
16 financial assistance program. The purpose of the  
17 program shall be to provide financial assistance  
18 to enhance water quality. The program shall be  
19 administered in accordance with rules adopted by  
20 the authority pursuant to chapter 17A. For purposes  
21 of this section, "program" means the wastewater and  
22 drinking water treatment financial assistance program  
23 and "committee" means the water quality financing  
24 review committee created in subsection 9.

25 2. A wastewater and drinking water treatment  
26 financial assistance fund is created and shall consist  
27 of appropriations made to the fund and transfers  
28 of interest, earnings, and moneys from other funds  
29 as provided by law. Moneys transferred to the fund  
30 pursuant to section 423G.6 are appropriated to the  
31 authority for purposes of the program. Moneys in the  
32 fund are not subject to section 8.33. Notwithstanding  
33 section 12C.7, subsection 2, interest or earnings on  
34 moneys in the fund shall be credited to the fund.

35 3. Financial assistance under the program shall

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1 be used to install or upgrade wastewater treatment  
 2 facilities and systems and drinking water treatment  
 3 facilities and systems, including source water  
 4 protection projects, and for engineering or technical  
 5 assistance for facility planning and design.

6 4. The ~~authority committee~~ shall ~~distribute~~ approve  
 7 financial assistance ~~in from~~ the fund in accordance  
 8 with the following:

9 ~~a. The goal of the program shall be to base awards~~  
 10 ~~on the impact of the grant combined with other sources~~  
 11 ~~of financing to ensure that sewer rates do not exceed~~  
 12 ~~one and one half percent of a community's median~~  
 13 ~~household income.~~

14 ~~b. a. Communities shall be eligible for financial~~  
 15 ~~assistance by qualifying as Priority shall be given~~  
 16 ~~for projects in which a disadvantaged community and~~  
 17 ~~is seeking financial assistance for the installation~~  
 18 ~~or upgrade of wastewater treatment facilities due~~  
 19 ~~to regulatory activity by the department of natural~~  
 20 ~~resources and drinking water treatment facilities.~~  
 21 For purposes of this section, the term "*disadvantaged*  
 22 *community*" means the same as defined by the department.

23 ~~e. b. Priority shall be given to projects in which~~  
 24 ~~the meeting criteria established in section 455B.199B~~  
 25 ~~in which the applicant seeks financial assistance is~~  
 26 ~~to be used to obtain with~~ financing under the water  
 27 pollution control works and drinking water facilities  
 28 financing program pursuant to section 16.131 or other  
 29 federal, ~~or~~ state, ~~or~~ private financing.

30 ~~f. c. Priority shall also be given to projects~~  
 31 whose completion will provide significant improvement  
 32 to water quality in the relevant watershed.

33 ~~e. d. Priority shall also be given to communities~~  
 34 that employ an alternative wastewater treatment  
 35 technology pursuant to section 455B.199C.

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1 ~~f. e. Priority shall be also be~~ given to those  
 2 communities where sewer or water rates are the highest  
 3 as a percentage of that community's median household  
 4 income.

5 ~~g. f. Financial assistance in the form of grants~~  
 6 shall be issued on an annual basis.

7 ~~h. g. An applicant shall not receive a grant that~~  
 8 exceeds five hundred thousand dollars.

9 h. Priority shall also be given to communities that  
 10 employ technology to address the latest version of the  
 11 "Iowa Nutrient Reduction Strategy" initially presented  
 12 in November 2012 by the department of agriculture and

13 land stewardship, the department of natural resources,  
14 and Iowa state university of science and technology.  
15 4A. A utility management organization formed  
16 under chapter 28E or operated by a rural water system  
17 organized under chapter 357A or chapter 504 shall be  
18 considered eligible for financial assistance under the  
19 program.

20 5. The authority in cooperation with the department  
21 of natural resources shall ~~share~~ provide information  
22 and resources to the committee when the committee is  
23 determining the qualifications of a community for  
24 financial assistance from the fund.

25 6. The authority shall enter into agreements with  
26 financial assistance recipients and distribute moneys  
27 under the program pursuant to financial assistance  
28 determinations made by the committee. The authority  
29 may use an amount of not more than ~~four~~ one percent of  
30 any moneys appropriated for deposit in the fund for  
31 administration purposes.

32 7. By October 1 of each year, the authority shall  
33 submit a report to the governor and the general  
34 assembly itemizing expenditures under the program  
35 during the previous fiscal year.

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1 8. a. Beginning September 1, 2026, and every  
2 ten years thereafter, a program review committee is  
3 established for purposes of reviewing the wastewater  
4 and drinking water treatment financial assistance  
5 program. By December 1 of the same year, the review  
6 committee shall file a report with the governor and the  
7 general assembly that reviews the effectiveness of the  
8 program during the prior ten fiscal years.

9 b. The program review committee shall consist of  
10 the following members:

11 (1) The governor or the governor's designee.

12 (2) The secretary of agriculture or the secretary's  
13 designee.

14 (3) The executive director of the authority or the  
15 executive director's designee.

16 (4) The director of the department of natural  
17 resources or the director's designee.

18 (5) Four members of the general assembly, with  
19 two from the senate and two from the house of  
20 representatives and not more than one member from each  
21 chamber being from the same political party. The two  
22 senators shall be designated one member each by the  
23 president of the senate, after consultation with the  
24 majority leader of the senate, and by the minority  
25 leader of the senate. The two representatives shall  
26 be designated one member each by the speaker of the

27 house of representatives, after consultation with the  
 28 majority leader of the house of representatives, and by  
 29 the minority leader of the house of representatives.  
 30 c. Staffing services shall be provided by the  
 31 authority.  
 32 9. a. A water quality financing review committee  
 33 is created consisting of the secretary of agriculture  
 34 or the secretary's designee, the executive director of  
 35 the authority or the executive director's designee, and

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1 the director of the department of natural resources or  
 2 the director's designee.  
 3 b. The committee shall review and approve or  
 4 deny applications for financial assistance under the  
 5 wastewater and drinking water treatment financial  
 6 assistance program established in this section.  
 7 Sec. \_\_. Section 423.3, Code 2016, is amended by  
 8 adding the following new subsection:  
 9 NEW SUBSECTION. 103. a. The sales price from  
 10 the sale or furnishing by a water utility of a water  
 11 service in the state to consumers or users.  
 12 b. For purposes of this subsection:  
 13 (1) "Water service" means the delivery of water by  
 14 piped distribution system.  
 15 (2) "Water utility" means a public utility as  
 16 defined in section 476.1 that furnishes water by piped  
 17 distribution system to the public for compensation.  
 18 Sec. \_\_. NEW SECTION. 423G.1 Short title.  
 19 This chapter may be cited as the "Water Service Tax  
 20 Act".  
 21 Sec. \_\_. NEW SECTION. 423G.2 Definitions.  
 22 1. All words and phrases used in this chapter and  
 23 defined in section 423.1 have the same meaning given  
 24 them by section 423.1 for purposes of this chapter.  
 25 2. As used in this chapter, "water service" and  
 26 "water utility" mean the same as defined in section  
 27 423.3, subsection 103.  
 28 Sec. \_\_. NEW SECTION. 423G.3 Water service tax.  
 29 An excise tax at the rate of six percent is imposed  
 30 on the sales price from the sale or furnishing by  
 31 a water utility of a water service in the state to  
 32 consumers or users.  
 33 Sec. \_\_. NEW SECTION. 423G.4 Exemptions.  
 34 The sales price from transactions exempt from state  
 35 sales tax under section 423.3, except section 423.3,

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1 subsection 103, is also exempt from the tax imposed by  
2 this chapter.

3 Sec. \_\_\_\_ NEW SECTION. **423G.5 Administration by**  
4 **director.**

5 1. The director of revenue shall administer the  
6 water service tax as nearly as possible in conjunction  
7 with the administration of the state sales and use tax  
8 law, except that portion of the law that implements the  
9 streamlined sales and use tax agreement. The director  
10 shall provide appropriate forms, or provide on the  
11 regular state tax forms, for reporting water service  
12 tax liability.

13 2. The director may require all persons who are  
14 engaged in the business of deriving any sales price or  
15 purchase price subject to tax under this chapter to  
16 register with the department. The director may also  
17 require a tax permit applicable only to this chapter  
18 for any retailer not collecting, or any user not  
19 paying, taxes under chapter 423.

20 3. Section 422.25, subsection 4, sections 422.30,  
21 422.67, and 422.68, section 422.69, subsection 1,  
22 sections 422.70, 422.71, 422.72, 422.74, and 422.75,  
23 section 423.14, subsection 1, and sections 423.23,  
24 423.24, 423.25, 423.31 through 423.35, 423.37 through  
25 423.42, and 423.47, consistent with the provisions  
26 of this chapter, shall apply with respect to the tax  
27 authorized under this chapter, in the same manner and  
28 with the same effect as if the excise taxes on the  
29 sale or furnishing of a water service were retail  
30 sales taxes within the meaning of those statutes.  
31 Notwithstanding this subsection, the director shall  
32 provide for quarterly filing of returns and for other  
33 than quarterly filing of returns both as prescribed in  
34 section 423.31. All taxes collected under this chapter  
35 by a retailer or any user are deemed to be held in

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1 trust for the state of Iowa.

2 Sec. \_\_\_\_ NEW SECTION. **423G.6 Deposit of revenues.**

3 1. All moneys received and all refunds shall be  
4 deposited in or withdrawn from the general fund of the  
5 state.

6 2. Subsequent to the deposit in the general fund  
7 of the state, the department shall first transfer  
8 one-sixth of the revenues collected under 423G.3 to  
9 the secure an advanced vision fund created in section  
10 423F.2, and then from the remaining revenues shall  
11 transfer the following amounts to the wastewater and  
12 drinking water financial assistance fund created in

13 section 16.134:

14 *a.* For revenues collected on or after July 1, 2017,  
15 but before August 1, 2018, one-sixth of the revenues.

16 *b.* For revenues collected on or after August 1,  
17 2018, but before August 1, 2019, one-third of the  
18 revenues.

19 *c.* For revenues collected on or after August 1,  
20 2019, but before August 1, 2020, one-half of the  
21 revenues.

22 *d.* For revenues collected on or after August 1,  
23 2020, but before August 1, 2021, two-thirds of the  
24 revenues.

25 *e.* For revenues collected on or after August 1,  
26 2021, but before August 1, 2022, five-sixths of the  
27 revenues.

28 *f.* For revenues collected on or after August 1,  
29 2022, one hundred percent of the revenues.

30 Sec. \_\_. **NEW SECTION.** **423G.7 Future repeal.**

31 This chapter is repealed July 1, 2029.

32 Sec. \_\_. **EFFECTIVE DATE.** This division of this  
33 Act takes effect July 1, 2017.

34 **DIVISION** \_\_

35 **NATURAL RESOURCES AND OUTDOOR RECREATION**

Page 17

1 Sec. \_\_. Section 461.2, Code 2016, is amended by  
2 adding the following new subsection:  
3 **NEW SUBSECTION.** 3A. *“Iowa nutrient reduction*  
4 *strategy”* means the latest version of the “Iowa  
5 Nutrient Reduction Strategy” initially presented in  
6 November 2012 by the department of agriculture and land  
7 stewardship, the department of natural resources, and  
8 Iowa state university of science and technology.

9 Sec. \_\_. Section 461.11, Code 2016, is amended by  
10 adding the following new subsections:

11 **NEW SUBSECTION.** 3. When collaborating in making  
12 funding decisions for a subsequent fiscal year, the  
13 heads of the departments receiving trust fund moneys  
14 shall give a preference to supporting those initiatives  
15 which are research-based water quality initiatives  
16 that at least meet the state water quality objective  
17 provided in section 461.31, subsection 1A.

18 **NEW SUBSECTION.** 4. When collaborating in making  
19 funding decisions for a subsequent fiscal year, the  
20 heads of the departments receiving trust fund moneys  
21 shall determine the amount of trust fund moneys  
22 required to be expended to support research-based water  
23 quality initiatives in order to at least meet the state  
24 water quality objective provided in section 461.31,  
25 subsection 1A.

26 Sec. \_\_. Section 461.21, Code 2016, is amended by



27 adding the following new subsection:

28 NEW SUBSECTION. 1A. The auditor of state shall  
29 notify the heads of the departments receiving trust  
30 fund moneys whether the amount of trust fund moneys  
31 expended to support research-based water quality  
32 initiatives under this chapter for the fiscal year  
33 subject to the audit has at least met the state  
34 water quality objective provided in section 461.31,  
35 subsection 1A. If the amount of trust fund moneys

Page 18

1 expended to support research-based water quality  
2 initiatives does not at least meet that state water  
3 quality objective, the auditor of state shall notify  
4 the heads of the departments of the percentage  
5 shortfall.

6 Sec. \_\_\_\_. Section 461.22, Code 2016, is amended by  
7 adding the following new subsection:

8 NEW SUBSECTION. 1A. The expenditures used to  
9 support initiatives which are research-based water  
10 quality initiatives that at least meet the state  
11 water quality objective provided in section 461.31,  
12 subsection 1A.

13 Sec. \_\_\_\_. Section 461.31, subsection 2, paragraph  
14 d, Code 2016, is amended to read as follows:

15 *d.* Trust fund moneys shall only be used to  
16 support voluntary initiatives and shall not be used  
17 for regulatory efforts, enforcement actions, or  
18 litigation. Trust fund moneys shall not be used as  
19 part of an activity which involves condemning property  
20 or otherwise exercising the power of eminent domain.

21 Sec. \_\_\_\_. Section 461.31, Code 2016, is amended by  
22 adding the following new subsection:

23 NEW SUBSECTION. 1A. *a.* For each fiscal year, at  
24 least sixty percent of the trust fund moneys credited  
25 to the trust fund shall be exclusively expended to  
26 support research-based water quality initiatives  
27 under this chapter. A research-based water quality  
28 initiative, includes but is not limited to a practice  
29 described in the Iowa nutrient reduction strategy. In  
30 addition, a research-based water quality initiative  
31 must satisfy all the following:

32 (1) Have a life expectancy of more than twenty-four  
33 months.

34 (2) Provide for multiple natural resource benefits.

35 *b.* If the auditor of state notifies the heads

Page 19

1 of the departments receiving trust fund moneys of a  
 2 percentage shortfall as provided in section 461.21,  
 3 the percentage of trust fund moneys to support  
 4 research-based water quality initiatives shall be  
 5 adjusted for the fiscal year following the fiscal  
 6 year that the auditor provides the notification. The  
 7 amount of the adjustment shall be an amount necessary  
 8 to reach the sixty percent required to meet the water  
 9 quality objective as described in paragraph “a” plus a  
 10 percentage shortfall for each prior fiscal year that  
 11 has not been previously added to the sixty percent.  
 12 Sec. \_\_\_\_ Section 461.32, subsection 3, Code 2016,  
 13 is amended to read as follows:  
 14 3. The department of natural resources shall ~~to~~  
 15 ~~every extent possible~~ consider its comprehensive  
 16 plan provided in section 456A.31 when making funding  
 17 decisions.>  
 18 2. By renumbering, redesignating, and correcting  
 19 internal references as necessary.

DAVID JOHNSON

### S-5160

1 Amend the amendment, S-5157, to House File 2459,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 20, after line 34 by inserting:  
 5 <\_\_. Title page, line 4, after <date> by inserting  
 6 <and retroactive applicability>>

ROBERT E. DVORSKY

### S-5161

#### HOUSE AMENDMENT TO SENATE FILE 2323

1 Amend Senate File 2323, as amended,  
 2 passed, and reprinted by the Senate, as follows:  
 3 1. Page 4, line 4, by striking <48,689.681> and  
 4 inserting <48,939.681>  
 5 2. Page 13, by striking lines 26 through 29.  
 6 3. Page 30, after line 26 by inserting:  
 7 <Sec. \_\_\_\_ STATE BOARD OF EDUCATION — SUSPENSION  
 8 OF RULE APPLICABILITY — REVIEW BY ADMINISTRATIVE  
 9 RULES REVIEW COMMITTEE. The applicability of 281  
 10 Iowa administrative code, rule 12.8, subrule 1,  
 11 paragraph “h”, is suspended until July 1, 2017. The  
 12 administrative rules review committee shall review

13 281 Iowa administrative code, rule 12.8, subrule 1,  
 14 paragraph "h", at its regular meeting in December  
 15 2016.>  
 16 4. Page 31, after line 1 by inserting:  
 17 <5. The section of this Act suspending the  
 18 applicability of an administrative rule adopted by the  
 19 state board of education and requiring review of such  
 20 rule by the administrative rules review committee.>  
 21 5. By renumbering as necessary.

**S-5162**

HOUSE AMENDMENT TO  
 SENATE FILE 2320

1	Amend Senate File 2320, as passed by the Senate, as		
2	follows:		
3	1. By striking page 1, line 20, through page 2,		
4	line 5, and inserting:		
5	<2. For salaries, support, maintenance, and		
6	miscellaneous purposes:		
7	a. Operations:		
8	.....	\$	<u>3,270,911</u>
9			<u>6,643,821</u>
10	b. Planning:		
11	.....	\$	<u>210,487</u>
12			<u>438,973</u>
13	c. Motor vehicles:		
14	.....	\$	<u>17,062,673</u>
15			<u>35,925,345</u>
16	d. Performance and technology:		
17	.....	\$	<u>254,520</u>
18			<u>509,040</u> >
19	2. By striking page 3, line 26, through page 4,		
20	line 25, and inserting:		
21	<1. For salaries, support, maintenance,		
22	miscellaneous purposes, and for not more than the		
23	following full-time equivalent positions:		
24	a. Operations:		
25	.....	\$	<u>20,148,023</u>
26			<u>40,812,045</u>
27	.....	FTEs	<u>267.00</u>
28			<u>261.00</u>
29	b. Planning:		
30	.....	\$	<u>4,170,241</u>
31			<u>8,340,481</u>
32	.....	FTEs	<u>102.00</u>
33			<u>98.00</u>
34	c. Highways:		
35	.....	\$	<u>119,414,428</u>

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1		<u>240,485,855</u>
2	..... FTEs	<u>2,056.00</u>
3		<u>1,994.00</u>
4	d. Motor vehicles:	
5	..... \$	<u>748,445</u>
6		<u>1,496,889</u>
7	..... FTEs	<u>412.00</u>
8		<u>402.00</u>
9	e. Performance and technology:	
10	..... \$	<u>1,563,480</u>
11		<u>3,126,960</u>
12	..... FTEs	<u>35.00</u>
13		<u>34.00</u> >

**S-5163**

HOUSE AMENDMENT TO  
SENATE FILE 2187

1 Amend Senate File 2187, as passed by the Senate, as  
2 follows:  
3 1. Page 1, line 13, by striking <request> and  
4 inserting <request, if the form indicates the licensee  
5 was honorably discharged. If the license is issued  
6 upon presentation of the licensee's certification of  
7 release or discharge from active duty, DD form 214,  
8 the department shall notify the commission of veteran  
9 affairs of the county of the licensee's residence  
10 that the licensee was issued a license marked to  
11 reflect the licensee's veteran status. After receiving  
12 notification from the department, the commission shall  
13 initiate contact with the licensee.>  
14 2. Page 1, after line 13 by inserting:  
15 <Sec. \_\_. Section 321L.2, subsection 1, unnumbered  
16 paragraph 1, Code 2016, is amended to read as follows:  
17 A resident of the state with a disability desiring  
18 a persons with disabilities parking permit shall  
19 apply to the department upon an application form  
20 furnished by the department providing the applicant's  
21 full legal name, address, date of birth, and social  
22 security number or Iowa driver's license number or  
23 Iowa nonoperator's identification card number, and  
24 shall also provide a statement from a physician  
25 licensed under chapter 148 or 149, a physician  
26 assistant licensed under chapter 148C, an advanced  
27 registered nurse practitioner licensed under chapter  
28 152, or a chiropractor licensed under chapter  
29 151, or a physician, physician assistant, nurse  
30 practitioner, or chiropractor licensed to practice  
31 in a contiguous state, written on the physician's,

32 physician assistant's, nurse practitioner's, or  
 33 chiropractor's stationery, stating the nature of the  
 34 applicant's disability and such additional information  
 35 as required by rules adopted by the department

Page 2

1 under section 321L.8. If the person is applying  
 2 for a temporary persons with disabilities parking  
 3 permit, the physician's, physician assistant's, nurse  
 4 practitioner's, or chiropractor's statement shall  
 5 state the period of time during which the person is  
 6 expected to be disabled and the period of time for  
 7 which the permit should be issued, not to exceed six  
 8 months. The department may waive the requirement that  
 9 the applicant furnish the applicant's social security  
 10 number, Iowa driver's license number, or nonoperator's  
 11 identification card number when the application for  
 12 a temporary persons with disabilities parking permit  
 13 is made on behalf of a person who is less than one  
 14 year old. The department may accept a certification  
 15 of disability from the United States department  
 16 of veterans affairs in lieu of a statement from a  
 17 physician, physician assistant, advanced registered  
 18 nurse practitioner, or chiropractor. The department  
 19 may adopt rules pursuant to chapter 17A detailing  
 20 the requirements for an acceptable certification of  
 21 disability.>

22 3. Title page, line 2, after <status> by inserting  
 23 <and providing for the acceptance of a disability  
 24 certification from the United States department of  
 25 veterans affairs for a persons with disabilities  
 26 parking permit>

27 4. By renumbering as necessary.

## S-5164

1 Amend the amendment, S-5158, to House File 2460,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:

4 1. Page 89, by striking lines 33 and 34 and  
 5 inserting <quarter, not to exceed six percent of the  
 6 total annual revenue of the facility for the preceding  
 7 fiscal year actual paid claims for the previous  
 8 quarter.>

9 2. By renumbering as necessary.

AMANDA RAGAN

**S-5165**

1 Amend Senate File 2326 as follows:  
 2 1. By striking page 1, line 15, through page 2,  
 3 line 14, and inserting:  
 4 <Sec. \_\_\_. Section 34A.7A, subsection 2, Code 2016,  
 5 is amended by adding the following new paragraph:  
 6 NEW PARAGRAPH. *Og.* After paying all obligations  
 7 under paragraph “f”, the program manager shall, each  
 8 fiscal year, allocate an amount to the department of  
 9 public safety for the payment of costs, as described  
 10 in section 12.28, due under a financing agreement  
 11 entered into by the treasurer of state for building  
 12 the statewide interoperable communications system  
 13 pursuant to section 29C.23, subsection 2, until the  
 14 financing agreement is fully executed. This paragraph  
 15 is repealed upon the full execution of such financing  
 16 agreement. The treasurer of state shall notify the  
 17 Code editor of this occurrence.>  
 18 2. Page 2, line 17, after <before> by inserting <or  
 19 after>

JEFF DANIELSON

**S-5166**

1 Amend the amendment, S-5158, to House File 2460,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 113, after line 17 by inserting:  
 5 <Sec. \_\_\_. Section 514L.5, subsection 3, Code 2016,  
 6 is amended to read as follows:  
 7 3. Members appointed by the governor shall serve  
 8 two-year staggered terms as designated by the governor,  
 9 and legislative members of the board shall serve  
 10 two-year terms. The filling of positions reserved  
 11 for the public representatives, vacancies, membership  
 12 terms, payment of compensation and expenses, and  
 13 removal of the members are governed by chapter 69.  
 14 Additionally, a vacancy of a member appointed by the  
 15 governor or of a legislative member shall be filled as  
 16 expeditiously as possible, and no later than within six  
 17 months following a resignation, expiration of a term,  
 18 or a notice of a vacancy. Members of the board are  
 19 entitled to receive reimbursement of actual expenses  
 20 incurred in the discharge of their duties. Public  
 21 members of the board are also eligible to receive  
 22 compensation as provided in section 7E.6. A majority  
 23 of the voting members constitutes a quorum and the  
 24 affirmative vote of a majority of the voting members is  
 25 necessary for any substantive action to be taken by the

26 board. The members shall select a chairperson on an  
 27 annual basis from among the membership of the board.>  
 28 2. By renumbering as necessary.

JANET PETERSEN

**S-5167**

1 Amend the amendment, S-5157, to House File 2459,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 20, after line 34 by inserting:  
 5 <DIVISION \_\_\_\_  
 6 AUTOMATED TRAFFIC LAW ENFORCEMENT SYSTEMS  
 7 Sec. \_\_\_\_ Section 321.492B, Code 2016, is amended  
 8 to read as follows:  
 9 **321.492B Use of ~~unmanned aerial vehicle~~ automated or**  
 10 **remote systems for traffic law enforcement prohibited.**  
 11 The state or a political subdivision of the state  
 12 shall not use ~~an unmanned aerial vehicle~~ any automated  
 13 or remote system for traffic law enforcement including  
 14 but not limited to an unmanned aerial vehicle and any  
 15 device with one or more sensors working in conjunction  
 16 with a traffic-control signal or device, signal light,  
 17 speed measuring device, or parking meter device.  
 18 Sec. \_\_\_\_ REMOVAL OF AUTOMATED OR REMOTE TRAFFIC  
 19 LAW ENFORCEMENT SYSTEMS — VALIDITY OF PRIOR NOTICES  
 20 AND CITATIONS. On or before July 1, 2016, a local  
 21 authority using an automated or remote traffic law  
 22 enforcement system shall discontinue using the system  
 23 and remove the system equipment. Effective July 1,  
 24 2016, all local ordinances authorizing the use of an  
 25 automated or remote traffic law enforcement system  
 26 are void. However, notices of violations mailed or  
 27 citations issued pursuant to such an ordinance prior to  
 28 July 1, 2016, shall not be invalidated by the enactment  
 29 of this Act and shall be processed according to the  
 30 provisions of the law under which they were authorized.  
 31 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. The section  
 32 of this division of this Act relating to the removal  
 33 of automated or remote traffic law enforcement systems  
 34 and the validity of prior notices and citations, being  
 35 deemed of immediate importance, takes effect upon

Page 2

1 enactment.>

BRAD ZAUN  
 DAVID JOHNSON  
 MARK SEGEBART  
 KEN ROZENBOOM  
 MARK CHELGREN

MICHAEL BREITBACH  
 JACK WHITVER  
 JERRY BEHN  
 AMY SINCLAIR  
 MARK COSTELLO  
 CHARLES SCHNEIDER  
 JULIAN B. GARRETT  
 JASON SCHULTZ  
 DENNIS GUTH  
 RANDY FEENSTRA  
 BILL ANDERSON  
 JAKE CHAPMAN  
 RICK BERTRAND  
 TOM SHIPLEY

### S-5168

1 Amend the amendment, S-5157, to House File 2459,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 8, after line 4 by inserting:  
 5 <Sec. \_\_. NEW SECTION. 478.6A Merchant line  
 6 **franchises — requirements — limitations.**  
 7 1. *a.* For purposes of this section, “*bifurcation*”  
 8 means the conducting of two separate hearings when  
 9 a petition involves the taking of property under  
 10 eminent domain, one hearing considering whether the  
 11 proposed line is necessary to serve a public use and  
 12 represents a reasonable relationship to an overall plan  
 13 of transmitting electricity in the public interest, and  
 14 the other considering the granting of eminent domain  
 15 authority.  
 16 *b.* For purposes of this section, “*merchant*  
 17 *line*” means a high-voltage direct current electric  
 18 transmission line which does not provide for the  
 19 erection of electric substations at intervals of less  
 20 than fifty miles, which substations are necessary  
 21 to accommodate both the purchase and sale to persons  
 22 located in this state of electricity generated or  
 23 transmitted by the franchisee.  
 24 2. A petition for a franchise to construct a  
 25 merchant line, in addition to any other applicable  
 26 requirements pursuant to this chapter, shall be subject  
 27 to all of the following:  
 28 *a.* The board shall not permit the bifurcation in  
 29 any manner of a petition and shall reject any request  
 30 by a petitioner for bifurcation.  
 31 *b.* Notwithstanding section 478.10, the sale and  
 32 transfer of a merchant line, by voluntary or judicial  
 33 sale or otherwise, shall not carry with it the transfer  
 34 of the franchise.  
 35 *c.* Notwithstanding section 478.21, if a petition



Page 2

1 that involves the taking of property under eminent  
2 domain is not approved by the board and a franchise  
3 granted within three years following the date of  
4 the first informational meeting held in any county  
5 regarding the petition, pursuant to section 478.2, the  
6 utilities board shall reject the petition and make a  
7 record of the rejection. A petitioner may not file a  
8 petition for the same or a similar project that has  
9 been rejected under this subsection within sixty months  
10 following the date of rejection.

11 *d.* The board shall not grant a petition that  
12 involves the taking of property under eminent domain  
13 unless a minimum of seventy-five percent of the  
14 easements necessary to construct the project have been  
15 obtained voluntarily.

16 *e.* In considering whether to grant a petition that  
17 involves the taking of property under eminent domain,  
18 section 478.3, subsection 3, is not applicable, and  
19 the term “*public*” shall be interpreted to be limited to  
20 consumers located in this state.>

21 2. Page 9, after line 10 by inserting:

22 <Sec. \_\_. EFFECTIVE UPON ENACTMENT. The following  
23 provision of this division of this Act, being deemed of  
24 immediate importance, takes effect upon enactment:

25 1. The section of this Act enacting section 478.6A.

26 Sec. \_\_. APPLICABILITY. The section of this  
27 division of this Act enacting section 478.6A is  
28 applicable to petitions for franchise filed on or after  
29 November 1, 2014, that have not been approved by the  
30 utilities board on or after the effective date of this  
31 Act, and to petitions for franchise filed on or after  
32 the effective date of this Act.>

33 3. Title page, line 4, after <date> by inserting  
34 <and applicability>

35 4. By renumbering as necessary.

RICK BERTRAND  
BILL ANDERSON  
JAKE CHAPMAN  
TIM KRAAYENBRINK  
TIM L. KAPUCIAN  
MARK SEGEBART  
KEN ROZENBOOM  
MARK CHELGREN  
MICHAEL BREITBACH  
JACK WHITVER  
JASON SCHULTZ  
AMY SINCLAIR

MARK COSTELLO  
 DENNIS GUTH  
 BRAD ZAUN  
 ROBY SMITH  
 TOM SHIPLEY  
 CHARLES SCHNEIDER

**S-5169**

- 1 Amend the amendment, S-5157, to House File 2459,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 1, by striking lines 7 through 12.  
 5 2. Page 1, line 21, by striking <5,400,000> and  
 6 inserting <7,900,000>  
 7 3. By renumbering as necessary.

JACK WHITVER  
 BRAD ZAUN  
 CHARLES SCHNEIDER

**S-5170**

- 1 Amend the amendment, S-5157, to House File 2459,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 20, after line 34 by inserting:  
 5 <DIVISION \_\_\_  
 6 OPEN ENROLLMENT — EXTRACURRICULAR ACTIVITIES  
 7 Sec. \_\_\_. Section 282.18, subsection 7, Code 2016,  
 8 is amended to read as follows:  
 9 7. a. A pupil participating in open enrollment  
 10 shall be counted, for state school foundation aid  
 11 purposes, in the pupil's district of residence. A  
 12 pupil's residence, for purposes of this section, means  
 13 a residence under section 282.1.  
 14 b. (1) The board of directors of the district of  
 15 residence shall pay to the receiving district the state  
 16 cost per pupil for the previous school year, and the  
 17 teacher leadership supplement state cost per pupil for  
 18 the previous fiscal year as provided in section 257.9,  
 19 plus any moneys received for the pupil as a result of  
 20 the non-English speaking weighting under section 280.4,  
 21 subsection 3, for the previous school year multiplied  
 22 by the state cost per pupil for the previous year. If  
 23 the pupil participating in open enrollment is also an  
 24 eligible pupil under section 261E.6, the receiving  
 25 district shall pay the tuition reimbursement amount to  
 26 an eligible postsecondary institution as provided in  
 27 section 261E.7.  
 28 (2) If a pupil participates in an extracurricular  
 29 activity in accordance with subsection 11A, the

30 district of residence may deduct an activity fee from  
 31 the amount calculated in subparagraph (1). The amount  
 32 of an activity fee shall not exceed the lesser of the  
 33 actual cost of providing the activity to the pupil or  
 34 fifteen percent of the state cost per pupil for the  
 35 previous school year.

Page 2

1 Sec. \_\_\_\_ Section 282.18, Code 2016, is amended by  
 2 adding the following new subsection:  
 3 NEW SUBSECTION. 11A. A pupil participating in  
 4 open enrollment for purposes of receiving educational  
 5 instruction and course content primarily over  
 6 the internet in accordance with section 256.7,  
 7 subsection 32, paragraph “c”, may participate in any  
 8 extracurricular activities offered to children in the  
 9 pupil’s grade or group and sponsored by the district of  
 10 residence under the same conditions and requirements as  
 11 the pupils enrolled in the district of residence.>  
 12 2. By renumbering as necessary.

MARK CHELGREN

S-5171

1 Amend the amendment, S-5157, to House File 2459,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 7, after line 29 by inserting:  
 5 <Sec. \_\_\_\_ Section 364.16, Code 2016, is amended to  
 6 read as follows:  
 7 **364.16 Municipal fire protection.**  
 8 Each city shall provide for the protection of  
 9 life and property against fire and may establish,  
 10 house, equip, staff, uniform, and maintain a fire  
 11 department. A city may establish fire limits and  
 12 may, consistent with code standards promulgated by  
 13 nationally recognized fire prevention agencies,  
 14 regulate the storage, handling, use, and transportation  
 15 of all flammables, combustibles, and explosives within  
 16 the corporate limits and inspect for and abate fire  
 17 hazards. A city may provide conditions upon which  
 18 the fire department will answer calls outside the  
 19 corporate limits or the territorial jurisdiction  
 20 and boundary limits of this state. A city may  
 21 require a public utility that supplies water to the  
 22 city or an entity with which the city contracts for  
 23 the provision of water to the city to install and  
 24 maintain an operational and centrally located fire  
 25 hydrant or an emergency water supply facility that is  
 26 available to emergency responders. A city has the same

27 governmental immunity outside its corporate limits when  
 28 providing fire protection as when operating within the  
 29 corporate limits. Fire fighters operating equipment  
 30 on calls outside the corporate limits are entitled  
 31 to the benefits of chapter 410 or 411 when otherwise  
 32 qualified.>  
 33 2. By renumbering as necessary.

MARK CHELGREN

**S-5172**

1 Amend the amendment, S-5158, to House File 2460,  
 2 as amended, passed, and reprinted by the House, as  
 3 follows:  
 4 1. Page 38, line 26, by striking <1,318,246,446>  
 5 and inserting <1,315,246,446>  
 6 2. By striking page 41, line 28, through page 42,  
 7 line 6, and inserting:  
 8 <12. a. ~~Of the funds appropriated in this section,~~  
 9 ~~\$2,041,939 is allocated for the state match for a~~  
 10 ~~disproportionate share hospital payment of \$4,544,712~~  
 11 ~~to~~ The hospitals that meet both of the conditions  
 12 specified in subparagraphs (1) and (2). ~~In addition,~~  
 13 ~~the hospitals that meet the conditions specified~~  
 14 shall either certify public expenditures or transfer  
 15 to the medical assistance program an amount equal to  
 16 provide the nonfederal share for a disproportionate  
 17 share hospital payment of ~~\$8,772,003~~ \$26,633,430.  
 18 The hospitals that meet the conditions specified  
 19 shall receive and retain 100 percent of the total  
 20 disproportionate share hospital payment of ~~\$13,316,715~~  
 21 \$26,633,430.>  
 22 3. Page 47, line 33, by striking <17,045,964> and  
 23 inserting <20,045,964>  
 24 4. Page 49, after line 32 by inserting:  
 25 < . Of the funds appropriated in this section,  
 26 \$3,000,000 shall be used for the family planning  
 27 services program, including for implementation and  
 28 administration, if enacted in this 2016 Act.>  
 29 5. Page 93, after line 19 by inserting:  
 30 <DIVISION \_\_  
 31 STATE FAMILY PLANNING SERVICES PROGRAM  
 32 Sec. \_\_. STATE FAMILY PLANNING SERVICES PROGRAM  
 33 — ESTABLISHMENT — DISCONTINUATION OF MEDICAID FAMILY  
 34 PLANNING NETWORK WAIVER.  
 35 1. The department of human services shall

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1 discontinue the Medicaid family planning network waiver  
2 effective July 1, 2016, and shall instead establish  
3 a state family planning services program. The state  
4 program shall replicate the eligibility requirements  
5 and other provisions included in the Medicaid family  
6 planning network waiver as approved by the centers for  
7 Medicare and Medicaid services of the United States  
8 department of health and human services in effect on  
9 June 30, 2016, but shall provide for distribution  
10 of the family planning services program funds in  
11 accordance with this section.

12 2. Distribution of family planning services program  
13 funds shall be made to eligible applicants in the  
14 following order of priority:

15 a. Public entities that provide family planning  
16 services including state, county, or local community  
17 health clinics and federally qualified health centers.

18 b. Nonpublic entities that, in addition to family  
19 planning services, provide required primary health  
20 services as described in 42 U.S.C. §254b(b)(1)(A).

21 c. Nonpublic entities that provide family planning  
22 services but do not provide required primary health  
23 services as described in 42 U.S.C. §254b(b)(1)(A).

24 3. Distribution of family planning services program  
25 funds under this section shall be made in a manner that  
26 continues access to family planning services.

27 4. Distribution of family planning services program  
28 funds shall not be made to any entity that performs  
29 abortions or that maintains or operates a facility  
30 where abortions are performed. For the purposes of  
31 this section, "abortion" does not include any of the  
32 following:

33 a. The treatment of a woman for a physical  
34 disorder, physical injury, or physical illness,  
35 including a life-endangering physical condition caused

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1 by or arising from the pregnancy itself, that would,  
2 as certified by a physician, place the woman in danger  
3 of death.

4 b. The treatment of a woman for a spontaneous  
5 abortion, commonly known as a miscarriage, when not all  
6 of the products of human conception are expelled.

7 5. Family planning services program funds  
8 distributed in accordance with this section shall  
9 not be used for direct or indirect costs, including  
10 but not limited to administrative costs or expenses,  
11 overhead, employee salaries, rent, and telephone and  
12 other utility costs, related to providing abortions as

13 specified in subsection 4.  
 14 6. The department of human services shall submit  
 15 a report to the governor and the general assembly,  
 16 annually by January 1, listing any entities that  
 17 received funds pursuant to subsection 2, paragraph  
 18 "c", and the amount and type of funds received by such  
 19 entities during the preceding calendar year. The  
 20 report shall provide a detailed explanation of how  
 21 the department determined that distribution of family  
 22 planning services program funds to such an entity,  
 23 instead of to an entity described in subsection 2,  
 24 paragraph "a" or "b", was necessary to prevent severe  
 25 limitation or elimination of access to family planning  
 26 services in the region of the state where the entity  
 27 is located.>  
 28 6. By renumbering as necessary.

KEN ROZENBOOM  
 MARK SEGEBART  
 JAKE CHAPMAN  
 DENNIS GUTH  
 AMY SINCLAIR  
 DAVID JOHNSON  
 JASON SCHULTZ  
 RANDY FEENSTRA

**S-5173**

1 Amend House File 2458, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 3, after line 21 by inserting:  
 4 <Sec. \_\_. CONSUMER EDUCATION AND LITIGATION —  
 5 FARM MEDIATION. Notwithstanding section 714.16C,  
 6 there is appropriated from the consumer education and  
 7 litigation fund to the department of justice for the  
 8 fiscal year beginning July 1, 2016, and ending June 30,  
 9 2017, the following amount, or so much thereof as is  
 10 necessary, to be used for the purposes designated:  
 11 For farm mediation services as specified in section  
 12 13.13, subsection 2:  
 13 ..... \$ 300,000>  
 14 2. Page 8, by striking lines 31 through 33 and  
 15 inserting:  
 16 <It is the intent of the general assembly that the  
 17 first judicial district department of correctional  
 18 services maintain the drug courts operated by the  
 19 district department.>  
 20 3. Page 9, by striking lines 3 through 6 and  
 21 inserting:  
 22 <It is the intent of the general assembly that the  
 23 second judicial district department of correctional  
 24 services establish and maintain two drug courts to be

25 operated by the district department.>  
26 4. Page 9, by striking lines 20 through 22 and  
27 inserting:  
28 <It is the intent of the general assembly that the  
29 fifth judicial district department of correctional  
30 services maintain the drug court operated by the  
31 district department.>  
32 5. Page 9, by striking lines 27 through 29 and  
33 inserting:  
34 <It is the intent of the general assembly that the  
35 sixth judicial district department of correctional

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1 services maintain the drug court operated by the  
2 district department.>  
3 6. By striking page 9, line 34, through page 10,  
4 line 1, and inserting:  
5 <It is the intent of the general assembly that the  
6 seventh judicial district department of correctional  
7 services maintain the drug court operated by the  
8 district department.>  
9 7. Page 18, line 16, by striking <9,528,227> and  
10 inserting <9,472,060>  
11 8. Page 22, after line 31 by inserting:  
12 <Sec. \_\_. HUMAN TRAFFICKING. Notwithstanding  
13 section 8A.365, for the fiscal year beginning July  
14 1, 2016, and ending June 30, 2017, the department of  
15 public safety shall not be obligated to pay up to  
16 \$200,000 of the depreciation expense otherwise required  
17 by section 8A.365 in order to fund the staffing  
18 of the office to combat human trafficking, and the  
19 moneys generated from not paying the depreciation  
20 expense shall be used to add 2.00 full-time equivalent  
21 positions to staff the office to combat human  
22 trafficking established in section 80.45 as enacted by  
23 2016 Iowa Acts, Senate File 2191.  
24 Sec. \_\_. SPECIAL AGENTS.  
25 1. Notwithstanding section 99F.10, subsection 4,  
26 one special agent, previously designated a gaming  
27 enforcement officer, shall not be terminated, except  
28 for cause, at a facility licensed under chapter 99F  
29 located in a county with a population of between  
30 21,100 and 22,000 as determined by the 2010 federal  
31 decennial census. The special agent shall remain  
32 employed at such facility as a special agent in the  
33 same job classification until the special agent leaves  
34 that special agent position, retires, or otherwise  
35 leaves employment. After the special agent leaves that

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1 special agent position, retires, or otherwise leaves  
 2 employment, the special agent full-time equivalent  
 3 position shall be eliminated and shall not be filled.  
 4 2. Notwithstanding section 99F.10, subsection 4,  
 5 and for purposes of determining the amount of license  
 6 fees and regulatory fees charged pursuant to section  
 7 99F.10, subsection 4, the state racing and gaming  
 8 commission shall include the cost of the salary of a  
 9 special agent who qualifies under subsection 1 plus any  
 10 direct and indirect support costs of such an agent,  
 11 until the special agent leaves that special agent  
 12 position, retires, or otherwise leaves employment.>

THOMAS G. COURTNEY

**S-5174**

HOUSE AMENDMENT TO  
SENATE FILE 2324

1 Amend Senate File 2324, as amended, passed, and  
 2 reprinted by the Senate, as follows:  
 3 1. Page 1, by striking lines 10 through 14 and  
 4 inserting:  
 5 <a. For major maintenance projects:>  
 6 2. Page 1, by striking line 16 and inserting:  
 7 <..... \$ 5,496,818>  
 8 3. Page 1, by striking lines 23 through 25 and  
 9 inserting:  
 10 <In addition, of the moneys appropriated in this  
 11 subsection, the department should give priority to  
 12 projects that address health and safety issues of Iowa  
 13 law enforcement academy facilities.>  
 14 4. Page 2, by striking line 4 and inserting:  
 15 <..... \$ 5,200,000>  
 16 5. Page 2, by striking lines 16 through 19 and  
 17 inserting:  
 18 <(c) Of the>  
 19 6. Page 2, line 20, by striking <allocated in this  
 20 subparagraph division> and inserting <appropriated in  
 21 this lettered paragraph>  
 22 7. Page 2, line 21, by striking <used> and  
 23 inserting <allocated>  
 24 8. Page 5, by striking lines 6 through 12.  
 25 9. Page 5, line 18, by striking <35,000> and  
 26 inserting <28,000>  
 27 10. Page 6, line 3, by striking <a. For> and  
 28 inserting <For>  
 29 11. Page 6, by striking lines 7 through 13.  
 30 12. Page 6, by striking lines 18 through 33.



31 13. Page 7, by striking lines 7 through 12.  
 32 14. Page 7, by striking lines 16 through 20.  
 33 15. Page 8, by striking line 24 and inserting:  
 34 <.....> \$ 2,500,000  
 35 16. Page 8, by striking line 30 and inserting:

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1 <.....> \$ 1,250,000  
 2 17. Page 8, by striking line 35 and inserting:  
 3 <.....> \$ 1,500,000  
 4 18. Page 9, by striking lines 26 through 35.  
 5 19. Page 11, line 23, by striking <a. For> and  
 6 inserting <For>  
 7 20. By striking page 11, line 31, through page 12,  
 8 line 8.  
 9 21. Page 12, by striking lines 14 through 18.  
 10 22. Page 12, by striking line 30 and inserting:  
 11 <.....> \$ 300,000  
 12 23. Page 13, line 33, by striking <1.>  
 13 24. Page 14, after line 1 by inserting:  
 14 <As a condition of receiving the appropriation  
 15 provided in this subsection, the department shall not  
 16 expend any moneys to pay an owners' representative fee  
 17 related to the repair and renovation of the dome of the  
 18 Iowa state capitol.>  
 19 25. Page 14, after line 1 by inserting:  
 20 <Of the moneys appropriated in this subsection, the  
 21 department shall be authorized to expend such amount  
 22 as is necessary for the costs of installing outdoor  
 23 lighting at the Iowa state capitol.>  
 24 26. Page 14, by striking lines 2 through 19.  
 25 27. Page 14, after line 31 by inserting:  
 26 <Sec. \_\_. 2011 Iowa Acts, chapter 133, section 4,  
 27 as amended by 2015 Iowa Acts, chapter 139, section 8,  
 28 is amended to read as follows:  
 29 SEC. 4. REVERSION.  
 30 1. Except as provided in ~~subsection~~ subsections  
 31 2 and 3, for purposes of section 8.33, unless  
 32 specifically provided otherwise, unencumbered or  
 33 unobligated moneys made from an appropriation in this  
 34 division of this Act shall not revert but shall remain  
 35 available for expenditure for the purposes designated

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1 until the close of the fiscal year that ends three  
 2 years after the end of the fiscal year for which the  
 3 appropriation is made. However, if the project or  
 4 projects for which such appropriation was made are  
 5 completed in an earlier fiscal year, unencumbered or  
 6 unobligated moneys shall revert at the close of that

7 same fiscal year.  
 8 2. For purposes of section 8.33, unless  
 9 specifically provided otherwise, moneys appropriated  
 10 in section 3, subsection 8, paragraph “b”, of this  
 11 division of this Act as amended by 2012 Iowa Acts,  
 12 chapter 1140, section 18, that remain unencumbered or  
 13 unobligated at the close of the fiscal year beginning  
 14 July 1, 2014, shall not revert but shall remain  
 15 available for the purpose designated until the close  
 16 of the fiscal year that begins July 1, 2016, or until  
 17 the project for which the appropriation was made is  
 18 completed, whichever is earlier.

19 3. For purposes of section 8.33, unless  
 20 specifically provided otherwise, unencumbered or  
 21 unobligated moneys appropriated in section 3,  
 22 subsection 5, paragraph “a”, of this division of this  
 23 2011 Act as amended by 2012 Iowa Acts, chapter 1140,  
 24 section 17, and 2013 Iowa Acts, chapter 142, section  
 25 47, shall not revert but shall remain available for  
 26 the purpose designated until the close of the fiscal  
 27 year that begins July 1, 2019, or until the projects  
 28 for which the appropriations were made are completed,  
 29 whichever is earlier.>

30 28. Page 15, after line 31 by inserting:  
 31 <Sec. \_\_. 2014 Iowa Acts, chapter 1136, section 1,  
 32 subsection 7, is amended to read as follows:

33 c. For the construction of a new facility and an  
 34 addition, renovation, and modernization of current  
 35 facilities and related improvements for biosciences at

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1 Iowa state university of science and technology:		
2 FY 2015–2016:		
3 .....	\$	11,000,000
4 FY 2016–2017:		
5 .....	\$	19,500,000
6 .....		15,500,000
7 FY 2017–2018:		
8 .....	\$	19,500,000
9 .....		23,500,000>

10 29. By striking page 15, line 32, through page 17,  
 11 line 5.

12 30. By striking page 17, line 9, through page 20,  
 13 line 4.

14 31. By striking page 20, line 30, through page 21,  
 15 line 6.

16 32. Page 21, by striking lines 21 through 26.

17 33. Title page, line 6, by striking <and  
 18 retroactive applicability>

19 34. By renumbering, redesignating, and correcting  
 20 internal references as necessary.

S-5175

HOUSE AMENDMENT TO  
SENATE FILE 2188

1 Amend Senate File 2188, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 3, after line 7 by inserting:

4 <Sec. \_\_. NEW SECTION. 148.13B Requirements for  
5 **prescription certificates for psychologists — joint**  
6 **rules.**

7 1. The board of medicine and the board of  
8 psychology shall adopt joint rules in regard to the  
9 following:

10 a. Education and training requirements for  
11 prescription certificates pursuant to sections 154B.10  
12 and 154B.11.

13 b. Specific minimum standards for the terms,  
14 conditions, and framework governing the collaborative  
15 practice agreement and for governing the limitations  
16 on the prescriptions eligible to be prescribed and  
17 populations eligible to be prescribed to as specified  
18 in section 154B.1, subsection 2.

19 2. The board of medicine shall consult with the  
20 university of Iowa Carver college of medicine and  
21 clinical and counseling psychology doctoral programs at  
22 regents institutions in the development of the rules  
23 pertaining to education and training requirements in  
24 sections 154B.10 and 154B.11.

25 3. The joint rules, and any amendments thereto,  
26 adopted by the board of medicine and the board of  
27 psychology pursuant to this section and section 154B.14  
28 shall only be adopted by agreement of both boards  
29 through a joint rule-making process.>

30 2. Page 4, after line 2 by inserting:

31 < \_\_. "Physician" means a person licensed to  
32 practice medicine and surgery or osteopathic medicine  
33 and surgery in this state who is board-certified  
34 in family medicine, internal medicine, pediatrics,  
35 psychiatry, or another specialty who prescribes

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1 medications for the treatment of a mental disorder to  
2 patients in the normal course of the person's clinical  
3 medical practice pursuant to joint rules adopted by the  
4 board of psychology and the board of medicine.>

5 3. Page 4, by striking lines 22 through 32 and  
6 inserting:

7 < \_\_. "Psychotropic medication" means a medicine  
8 that shall not be dispensed or administered without  
9 a prescription and that has been explicitly approved

- 10 by the federal food and drug administration for the  
 11 treatment of a mental disorder, as defined by the  
 12 most recent version of the diagnostic and statistical  
 13 manual of mental disorders published by the American  
 14 psychiatric association or the most recent version  
 15 of the international classification of diseases.  
 16 "Psychotropic medication" does not include narcotics.>  
 17 4. Page 5, line 6, after <to> by inserting <joint  
 18 rules adopted by the board of psychology and the board  
 19 of medicine and the provisions of>  
 20 5. Page 5, by striking lines 14 through 16 and  
 21 inserting:  
 22 <b. Completed pharmacological training from an  
 23 institution approved by the board of psychology and  
 24 the board of medicine or from a provider of continuing  
 25 education approved by the board of psychology and the  
 26 board of medicine pursuant to joint rules adopted by  
 27 both boards.>  
 28 6. Page 5, line 18, after <board> by inserting <of  
 29 psychology and the board of medicine>  
 30 7. Page 5, line 23, after <psychology> by inserting  
 31 <and the board of medicine pursuant to joint rules  
 32 adopted by both boards>  
 33 8. By striking page 5, line 27, through page 6,  
 34 line 2, and inserting:  
 35 <e. Within five years immediately preceding

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- 1 the date of application, has been certified by  
 2 the applicant's supervising physician as having  
 3 successfully completed a supervised and relevant  
 4 clinical experience in clinical assessment and  
 5 pathophysiology and an additional supervised practicum  
 6 treating patients with mental disorders. The practica  
 7 shall have been supervised by a trained physician. The  
 8 board of psychology and the board of medicine, pursuant  
 9 to joint rules adopted by the boards, shall determine  
 10 sufficient practica to competently train the applicant  
 11 in the treatment of a diverse patient population.>  
 12 9. Page 6, by striking lines 6 through 8 and  
 13 inserting:  
 14 <g. Meets all other requirements, as determined  
 15 by joint rules adopted by the board of psychology and  
 16 the board of medicine, for obtaining a conditional  
 17 prescription certificate.>  
 18 10. Page 6, after line 29 by inserting:  
 19 <d. Any other rules adopted jointly by the board of  
 20 psychology and the board of medicine.>  
 21 11. Page 7, line 12, after <certificate> by  
 22 inserting <including joint rules adopted by the board  
 23 of psychology and the board of medicine>

- 24 12. Page 7, after line 24 by inserting:  
 25 <d. Any other rules adopted jointly by the board of  
 26 psychology and the board of medicine.>  
 27 13. Page 7, line 31, after <disorders.> by  
 28 inserting <Such prescribing practices shall be governed  
 29 by joint rules adopted by the board of psychology and  
 30 the board of medicine.>  
 31 14. Page 9, after line 20 by inserting:  
 32 <Sec. \_\_. NEW SECTION. 154B.14 Requirements for  
 33 **prescription certificates — joint rules.**  
 34 1. The board of psychology and the board of  
 35 medicine shall adopt joint rules in regard to the

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- 1 following:  
 2 a. Education and training requirements pursuant to  
 3 sections 154B.10 and 154B.11.  
 4 b. Specific minimum standards for the terms,  
 5 conditions, and framework governing the collaborative  
 6 practice agreement and for governing the limitations  
 7 on the prescriptions eligible to be prescribed and  
 8 populations eligible to be prescribed to as specified  
 9 in section 154B.1, subsection 2.  
 10 2. The board of psychology shall consult with  
 11 the university of Iowa Carver college of medicine and  
 12 clinical and counseling psychology doctoral programs at  
 13 regents institutions in the development of the rules  
 14 pertaining to education and training requirements in  
 15 sections 154B.10 and 154B.11.  
 16 3. The joint rules, and any amendments thereto,  
 17 adopted by the board of psychology and the board of  
 18 medicine pursuant to this section and section 148.13B  
 19 shall only be adopted by agreement of both boards  
 20 through a joint rule-making process.>  
 21 15. By renumbering as necessary.

S-5176

HOUSE AMENDMENT TO  
 SENATE FILE 2308

- 1 Amend Senate File 2308, as passed by the Senate, as  
 2 follows:  
 3 1. By striking everything after the enacting clause  
 4 and inserting:  
 5 <DIVISION I  
 6 ENHANCE IOWA  
 7 Section 1. Section 12.71, Code 2016, is amended by  
 8 adding the following new subsections:  
 9 NEW SUBSECTION. 11. The treasurer of state shall  
 10 not issue bonds or refunding bonds under this section

11 after June 30, 2016.

12 **NEW SUBSECTION.** 12. This section is repealed on  
13 the date that all bonds and refunding bonds issued  
14 pursuant to this section are redeemed in full. The  
15 treasurer of state shall notify the Iowa Code editor  
16 of this occurrence.

17 Sec. 2. Section 15F.101, subsection 2, Code 2016,  
18 is amended to read as follows:

19 2. "*Board*" means the ~~vision~~ enhance Iowa board as  
20 created in section 15F.102.

21 Sec. 3. Section 15F.102, Code 2016, is amended by  
22 striking the section and inserting in lieu thereof the  
23 following:

24 **15F.102 Enhance Iowa board.**

25 1. An enhance Iowa board is established consisting  
26 of the members described in subsection 2. The board  
27 is located within the authority for administrative  
28 purposes. The director of the authority shall provide  
29 office space, staff assistance, and necessary supplies  
30 and equipment for the board. The director shall budget  
31 moneys to cover the compensation and expenses of the  
32 board. In performing its functions, the board is  
33 performing a public function on behalf of the state and  
34 is a public instrumentality of the state.

35 2. The board shall consist of the following voting

Page 2

1 members appointed by the governor:

2 a. Two members from each United States  
3 congressional district in the state as established in  
4 section 40.1.

5 b. Three members from the state at large.

6 3. a. Of the voting members appointed pursuant to  
7 subsection 2, the governor shall appoint the following:

8 (1) One person selected by the board of the Iowa  
9 natural heritage foundation.

10 (2) One person with professional experience in  
11 finance or investment banking.

12 (3) One person with professional experience in the  
13 tourism industry.

14 (4) One person with professional experience in  
15 architecture, landscape architecture, or historic  
16 preservation.

17 (5) One person with professional experience in  
18 cultural attractions and programming.

19 (6) Six persons actively employed in the private,  
20 for-profit sector of the economy who have substantial  
21 expertise in economic development.

22 b. The governor shall appoint the voting members  
23 pursuant to subsection 2, subject to sections 69.16,  
24 69.16A, and 69.16C, and subject to confirmation by the

25 senate.

26 c. The members appointed pursuant to subsection 2  
27 shall be appointed to two-year staggered terms and the  
28 terms shall commence and end as provided by section  
29 69.19. If a vacancy occurs, a successor shall be  
30 appointed to serve the unexpired term. A successor  
31 shall be appointed in the same manner and subject to  
32 the same qualifications as the original appointment to  
33 serve the unexpired term.

34 4. In addition to the voting members, the  
35 membership of the board shall include four members of

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1 the general assembly with one member designated by each  
2 of the following: the majority leader of the senate,  
3 the minority leader of the senate, the speaker of the  
4 house of representatives, and the minority leader of  
5 the house of representatives. A legislative member  
6 serves for a term as provided in section 69.16B in an  
7 ex officio, nonvoting capacity.

8 5. The governor shall designate the chairperson  
9 and vice chairperson of the board from the members  
10 appointed pursuant to subsection 2. In the case of  
11 absence or disability of the chairperson and vice  
12 chairperson, the members of the board shall elect a  
13 temporary chairperson by a majority vote of those  
14 members who are present and voting.

15 6. Each voting member of the board shall serve on  
16 at least one of the three review committees referred to  
17 in sections 15F.203, 15F.304, and 15F.401A.

18 7. A majority of the total voting membership of the  
19 board constitutes a quorum.

20 Sec. 4. Section 15F.103, Code 2016, is amended by  
21 adding the following new subsections:

22 NEW SUBSECTION. 3A. Oversee the administration by  
23 the authority of the sports tourism program pursuant  
24 to this chapter.

25 NEW SUBSECTION. 3B. Oversee the administration of  
26 the river enhancement community attraction and tourism  
27 program pursuant to this chapter.

28 Sec. 5. Section 15F.104, Code 2016, is amended to  
29 read as follows:

30 **15F.104 Authority duties.**

31 The authority, subject to approval by the board,  
32 shall adopt administrative rules pursuant to chapter  
33 17A necessary to administer ~~the community attraction~~  
34 ~~and tourism program and the vision Iowa program the~~  
35 programs established pursuant to this chapter. The

Page 4

1 authority shall provide the board with assistance  
 2 in implementing administrative functions, marketing  
 3 the programs, providing technical assistance and  
 4 application assistance to applicants under the  
 5 programs, negotiating contracts, and providing project  
 6 follow-up. The authority, ~~in cooperation with the~~  
 7 ~~treasurer of state~~, may conduct negotiations on behalf  
 8 of the board with applicants regarding terms and  
 9 conditions applicable to awards under the programs.

10 Sec. 6. **NEW SECTION. 15F.107 Enhance Iowa fund.**

11 1. a. The authority shall establish a fund  
 12 pursuant to section 15.106A, subsection 1, paragraph  
 13 "o", for purposes of allocating moneys to programs  
 14 specified in an appropriation made to the enhance Iowa  
 15 fund. A fund established for purposes of this section  
 16 may be administered as a revolving fund and may consist  
 17 of any moneys appropriated by the general assembly for  
 18 purposes of this section.

19 b. Notwithstanding section 8.33, at the end of each  
 20 fiscal year moneys in a fund established for purposes  
 21 of this section shall not revert to any other fund but  
 22 shall remain in the fund for expenditure for subsequent  
 23 fiscal years.

24 c. Notwithstanding section 12C.7, subsection 2,  
 25 interest or earnings on moneys in the fund shall be  
 26 credited to the fund. Repayments and recaptures of  
 27 program moneys shall be credited to the fund.

28 2. The authority shall submit a report to the  
 29 general assembly and the governor's office each year  
 30 that moneys are appropriated to the fund established  
 31 in this section describing the use of moneys and the  
 32 results achieved under each of the programs receiving  
 33 fund moneys.

34 Sec. 7. Section 15F.203, subsections 1 and 2, Code  
 35 2016, are amended to read as follows:

Page 5

1 1. Applications for assistance under the program  
 2 shall be submitted to the authority. For those  
 3 applications that meet the eligibility criteria, the  
 4 authority shall forward the applications to the board  
 5 and provide a staff review analysis and evaluation to  
 6 the community attraction and tourism program review  
 7 committee referred to in subsection 2 and to the board.

8 2. A review committee composed of five members of  
 9 the board shall review community attraction and tourism  
 10 program applications ~~submitted~~ forwarded to the board  
 11 and make recommendations regarding the applications  
 12 to the board. The review committee shall consist of



13 members of the board ~~listed in, with one member from~~  
 14 ~~each congressional district under~~section 15F.102,  
 15 subsection 2, ~~paragraphs paragraph~~“a”through “e”,  
 16 ~~and one member from the state at large under section~~  
 17 ~~15F.102, subsection 2, paragraph “b”.~~

18 Sec. 8. Section 15F.204, subsection 8, Code 2016,  
 19 is amended by striking the subsection.

20 Sec. 9. Section 15F.304, subsections 1 and 2, Code  
 21 2016, are amended to read as follows:

22 1. Applications for assistance under the program  
 23 shall be submitted to the authority. For those  
 24 applications that meet the eligibility criteria, the  
 25 authority shall forward the applications to the board  
 26 and provide a staff review and evaluation to the vision  
 27 Iowa program review committee referred to in subsection  
 28 2 and to the board.

29 2. A review committee composed of ~~eight six~~  
 30 members of the board shall review vision Iowa program  
 31 applications and river enhancement community attraction  
 32 and tourism project applications ~~submitted forwarded~~  
 33 to the board and make recommendations regarding the  
 34 applications to the board. The review committee shall  
 35 consist of members of the board ~~listed in, with one~~

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1 member from each congressional district undersection  
 2 15F.102, subsection 2, paragraphs “d” through  
 3 “h” paragraph “a”, and two members from the state at  
 4 large under section 15F.102, subsection 2, paragraph  
 5 “b”.

6 Sec. 10. NEW SECTION. 15F.401 Sports tourism  
 7 program.

8 1. a. The authority shall establish, and, at  
 9 the direction of the board, shall administer a sports  
 10 tourism program to provide financial assistance for  
 11 projects that promote sporting events for organizations  
 12 of accredited colleges and universities and other  
 13 sporting events in the state.

14 b. For purposes of this section:

15 (1) “*District*” means a regional sports authority  
 16 district certified under section 15E.321.

17 (2) “*Financial assistance*” means assistance provided  
 18 only from the funds available to the authority or the  
 19 board and includes assistance in the form of grants,  
 20 loans, and forgivable loans.

21 (3) “*Organization*” means a corporation, conference,  
 22 association, or other organization which has as one of  
 23 its primary purposes the sponsoring or administration  
 24 of extracurricular intercollegiate athletic contests  
 25 or competitions.

26 c. The authority, by rule, shall define “*accredited*”

27 *colleges and universities*", in consultation with the  
28 college student aid commission.

29 2. a. A city or county in the state or a public  
30 organization, including a convention and visitors  
31 bureau or a district, may apply to the authority  
32 for financial assistance for a project that actively  
33 and directly promotes sporting events for accredited  
34 colleges and universities and other sporting events  
35 in the area served by the city, county, or public

Page 7

1 organization.

2 b. A city, county, or public organization may apply  
3 for and receive financial assistance for more than one  
4 project.

5 c. A city, county, or public organization may  
6 apply for financial assistance for a project that  
7 spans multiple fiscal years or may apply for renewal  
8 of financial assistance awarded in a prior year if  
9 all applicable contractual requirements are met. The  
10 decision as to whether to renew an award shall be at  
11 the discretion of the board. The board may adopt by  
12 rule certain metrics and return on investment estimates  
13 for purposes of this paragraph. The authority may  
14 include such metrics and estimates in a program  
15 agreement executed pursuant to this section.

16 d. A convention and visitors bureau may apply to  
17 the authority for financial assistance pursuant to  
18 this section and a district may apply to the authority  
19 for district financial assistance, but a convention  
20 and visitors bureau shall not in the same year receive  
21 financial assistance under the program created in this  
22 section and financial assistance as part of a district.

23 3. The authority shall process applications under  
24 this section in accordance with this section and  
25 section 15F.401A.

26 4. An applicant shall demonstrate matching funds  
27 in order to receive financial assistance pursuant to  
28 this section. The amount of matching funds that may be  
29 required shall be at the board's discretion.

30 5. The board shall make final funding decisions  
31 on each application and may approve, deny, defer, or  
32 modify applications for financial assistance under the  
33 program, in its discretion, in order to fund as many  
34 projects with the moneys available as possible. The  
35 board and the authority may negotiate with applicants

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1 regarding the details of projects and the amount  
2 and terms of any award. In making final funding  
3 decisions pursuant to this subsection, the board and  
4 the authority are exempt from chapter 17A.  
5 6. a. A city, county, or public organization may  
6 use financial assistance received under the program for  
7 marketing, promotions, and infrastructure. Whether an  
8 activity or individual cost item is directly related to  
9 the promotion of the sporting event shall be within the  
10 discretion of the authority.  
11 b. All applications to the authority for financial  
12 assistance shall be made at least ninety days prior  
13 to an event's scheduled date. A city, county, or  
14 public organization shall not use financial assistance  
15 received under the program as reimbursement for  
16 completed projects.  
17 7. An applicant receiving financial assistance  
18 shall provide an annual report to the authority for  
19 years in which it receives financial assistance under  
20 this section. The report shall include the information  
21 the authority deems relevant.  
22 8. Each applicant receiving an award of financial  
23 assistance from the board shall enter into an agreement  
24 with the authority. The agreement shall contain such  
25 terms and conditions as the board may place on the  
26 award or the authority may deem necessary for the  
27 efficient administration of the program established in  
28 this subchapter.  
29 9. The authority, with the approval of the board,  
30 shall adopt rules for the administration of this  
31 subchapter.  
32 Sec. 11. NEW SECTION. 15F.401A Sports tourism  
33 **program application review.**  
34 1. Applications for assistance under the sports  
35 tourism program shall be submitted to the authority.

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1 For those applications that meet the eligibility  
2 criteria, the authority shall forward the applications  
3 to the board and provide a staff review analysis  
4 and evaluation to the sports tourism program review  
5 committee referred to in subsection 2 and to the board.  
6 2. A review committee composed of five members  
7 of the board shall review sports tourism program  
8 applications forwarded to the board and make  
9 recommendations regarding the applications to the  
10 authority. The review committee shall consist of  
11 members of the board, with one member from each  
12 congressional district under section 15F.102,

13 subsection 2, paragraph “a”, and one member from the  
 14 state at large under section 15F.102, subsection 2,  
 15 paragraph “b”.

16 3. When reviewing the applications, the review  
 17 committee and the authority shall consider, at a  
 18 minimum, all of the following:

19 a. Impact of the project on the local, regional,  
 20 and state economies.

21 b. Potential to attract Iowans and out-of-state  
 22 visitors.

23 c. Amount of positive advertising or media coverage  
 24 the project generates.

25 d. Quality, size, and scope of the project.

26 e. Ratio of public-to-private investment.

27 4. Upon review of the recommendations of the review  
 28 committee, the board shall approve, defer, or deny the  
 29 applications in accordance with section 15F.401.

30 **Sec. 12. NEW SECTION. 15F.402 Sports tourism**  
 31 **program fund.**

32 1. a. The authority shall establish a fund  
 33 pursuant to section 15.106A, subsection 1, paragraph  
 34 “o”, for purposes of financing sports tourism projects  
 35 as described in this subchapter. The fund established

Page 10

1 for purposes of this section may be administered  
 2 as a revolving fund and may consist of any moneys  
 3 appropriated by the general assembly for purposes of  
 4 this section.

5 b. Notwithstanding section 8.33, moneys in a fund  
 6 established for purposes of this section at the end of  
 7 each fiscal year shall not revert to any other fund but  
 8 shall remain in the fund for expenditure for subsequent  
 9 fiscal years.

10 c. Notwithstanding section 12C.7, subsection 2,  
 11 interest or earnings on moneys in the fund shall be  
 12 credited to the fund.

13 2. a. Moneys in the fund are appropriated to  
 14 the authority for purposes of providing financial  
 15 assistance to cities, counties, and public  
 16 organizations under the sports tourism program  
 17 established and administered pursuant to this  
 18 subchapter.

19 b. The board in its discretion shall allocate  
 20 the available moneys in the fund among the programs  
 21 described in paragraph “a” in the amounts determined  
 22 by the board.

## 23 DIVISION II

### 24 CONFORMING PROVISIONS

25 Sec. 13. Section 12.72, subsection 1, Code 2016, is  
 26 amended to read as follows:

27 1. A vision Iowa fund is created and established  
28 as a separate and distinct fund in the state treasury.  
29 The moneys in the fund are appropriated to the ~~vision~~  
30 enhance Iowa board for purposes of the vision Iowa  
31 program established in section 15F.302. Moneys in the  
32 fund shall not be subject to appropriation for any  
33 other purpose by the general assembly, but shall be  
34 used only for the purposes of the vision Iowa fund.  
35 The treasurer of state shall act as custodian of the

Page 11

1 fund and disburse moneys contained in the fund as  
2 directed by the ~~vision~~ enhance Iowa board, including  
3 automatic disbursements of funds received pursuant  
4 to the terms of bond indentures and documents and  
5 security provisions to trustees. The fund shall be  
6 administered by the ~~vision~~ enhance Iowa board which  
7 shall make expenditures from the fund consistent  
8 with the purposes of the vision Iowa program without  
9 further appropriation. An applicant under the vision  
10 Iowa program shall not receive more than seventy-five  
11 million dollars in financial assistance from the fund.

12 Sec. 14. Section 12.75, subsection 1, Code 2016, is  
13 amended to read as follows:

14 1. The ~~vision~~ enhance Iowa board may undertake  
15 a project for two or more applicants jointly or for  
16 any combination of applicants, and may combine for  
17 financing purposes, with the consent of all of the  
18 applicants which are involved, the project and some  
19 or all future projects of any applicant, and sections  
20 12.71, 12.72, and 12.74, this section, and sections  
21 12.76 and 12.77 apply to and for the benefit of the  
22 ~~vision~~ enhance Iowa board and the joint applicants.  
23 However, the money set aside in a fund or funds pledged  
24 for any series or issue of bonds or notes shall be  
25 held for the sole benefit of the series or issue  
26 separate and apart from money pledged for another  
27 series or issue of bonds or notes of the treasurer  
28 of state. To facilitate the combining of projects,  
29 bonds or notes may be issued in series under one or  
30 more resolutions or trust agreements and may be fully  
31 open-ended, thus providing for the unlimited issuance  
32 of additional series, or partially open-ended, limited  
33 as to additional series.

34 Sec. 15. Section 15.108, subsection 5, paragraph c,  
35 Code 2016, is amended to read as follows:

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1 c. Coordinate and develop with the department  
 2 of transportation, the department of natural  
 3 resources, the department of cultural affairs, the  
 4 ~~vision~~ enhance Iowa board, other state agencies, and  
 5 local and regional entities public interpretation,  
 6 marketing, and education programs that encourage  
 7 Iowans and out-of-state visitors to participate in the  
 8 recreational and leisure opportunities available in  
 9 Iowa. The authority shall establish and administer  
 10 a program that helps connect both Iowa residents and  
 11 residents of other states to new and existing Iowa  
 12 experiences as a means to enhance the economic, social,  
 13 and cultural well-being of the state. The program  
 14 shall include a broad range of new opportunities, both  
 15 rural and urban, including main street destinations,  
 16 green space initiatives, and artistic and cultural  
 17 attractions.

18 Sec. 16. Section 15E.321, Code 2016, is amended by  
 19 adding the following new subsection:  
 20 NEW SUBSECTION. 3A. Each district may apply for  
 21 and receive financial assistance under the sports  
 22 tourism program established by the authority pursuant  
 23 to section 15F.401.

24 DIVISION III  
 25 TRANSITION PROVISIONS

26 Sec. 17. BOARD COOPERATION — TRANSITION  
 27 PROVISIONS. The economic development authority shall  
 28 ensure the effective transition of powers and duties  
 29 from the vision Iowa board to the enhance Iowa board in  
 30 implementing this Act. In the interest of maintaining  
 31 the institutional knowledge possessed by members of  
 32 the vision Iowa board, it is the intent of the general  
 33 assembly that the governor should appoint at least  
 34 three but not more than seven members of the vision  
 35 Iowa board in existence on June 30, 2016, to the

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1 enhance Iowa board. The initial members of the enhance  
 2 Iowa board shall be appointed by November 1, 2016.>  
 3 2. Title page, line 5, by striking <making  
 4 appropriations,>

**S-5177**

HOUSE AMENDMENT TO  
 SENATE AMENDMENT TO  
 HOUSE FILE 2459

1 Amend the Senate amendment, H-8278, to House File  
 2 2459, as amended, passed, and reprinted by the House,  
 3 as follows:

4 1. By striking page 1, line 1, through page 20,  
 5 line 34, and inserting:  
 6 <Amend House File 2459, as amended, passed, and  
 7 reprinted by the House, as follows:

8 \_\_\_\_\_. By striking everything after the enacting  
 9 clause and inserting:

10 <DIVISION I

11 EQUAL PAY TASK FORCE AND REPORT

12 Section 1. EQUAL PAY.

13 1. An equal pay task force is created. The task  
 14 force shall consist of seven members appointed by the  
 15 governor.

16 2. The task force shall study wage discrepancies  
 17 within public and private employment and between public  
 18 and private employers.

19 3. The task force shall submit a report regarding  
 20 its findings and its recommendations regarding  
 21 potential actions for the elimination and prevention  
 22 of such discrepancies to the governor and the general  
 23 assembly no later than December 22, 2017.

24 DIVISION II

25 MISCELLANEOUS PROVISIONS — WAGE DISCRIMINATION

26 Sec. 2. ADDITIONAL UNFAIR OR DISCRIMINATORY

27 PRACTICE — WAGE DISCRIMINATION IN EMPLOYMENT.

28 1. As stated in chapter 216, the general assembly  
 29 finds that the practice of discriminating against any  
 30 employee because of the age, race, creed, color, sex,  
 31 sexual orientation, gender identity, national origin,  
 32 religion, or disability of such employee by paying  
 33 wages to such employee at a rate less than the rate  
 34 paid to other employees does all of the following:

35 a. Unjustly discriminates against the person

Page 2

1 receiving the lesser rate.

2 b. Leads to low employee morale, high turnover, and  
 3 frequent labor unrest.

4 c. Discourages employees paid at lesser wage rates  
 5 from training for higher level jobs.

6 d. Curtails employment opportunities, decreases  
 7 employees' mobility, and increases labor costs.

8 e. Impairs purchasing power and threatens the  
 9 maintenance of an adequate standard of living by such  
 10 employees and their families.

11 f. Prevents optimum utilization of the state's  
 12 available labor resources.

13 g. Threatens the well-being of citizens of this  
 14 state and adversely affects the general welfare.

15 2. As stated in section 216.6A, it remains  
 16 unfair or discriminatory practice for any employer  
 17 or agent of any employer to discriminate against

18 any employee because of the age, race, creed, color,  
 19 sex, sexual orientation, gender identity, national  
 20 origin, religion, or disability of such employee by  
 21 paying wages to such employee at a rate less than the  
 22 rate paid to other employees who are employed within  
 23 the same establishment for equal work on jobs, the  
 24 performance of which requires equal skill, effort, and  
 25 responsibility, and which are performed under similar  
 26 working conditions. As also stated in section 216.6A,  
 27 an employer or agent of an employer who is paying wages  
 28 to an employee at a rate less than the rate paid to  
 29 other employees in violation of this section shall not  
 30 remedy the violation by reducing the wage rate of any  
 31 employee.

32 DIVISION III

33 STANDING APPROPRIATIONS AND RELATED MATTERS

34 Sec. 3. 2015 Iowa Acts, chapter 138, section 3, is  
 35 amended by adding the following new subsection:

Page 3

1 NEW SUBSECTION. 4. For the peace officers'  
 2 retirement, accident, and disability system retirement  
 3 fund under section 97A.11A:  
 4 ..... \$ 2,500,000  
 5 Sec. 4. 2015 Iowa Acts, chapter 138, is amended by  
 6 adding the following new section:  
 7 NEW SECTION. SEC. 5A. GENERAL ASSEMBLY.  
 8 1. The appropriations made pursuant to section  
 9 2.12 for the expenses of the general assembly and  
 10 legislative agencies for the fiscal year beginning July  
 11 1, 2016, and ending June 30, 2017, are reduced by the  
 12 following amount:  
 13 ..... \$ 5,850,000  
 14 2. The budgeted amounts for the general assembly  
 15 and legislative agencies for the fiscal year beginning  
 16 July 1, 2016, may be adjusted to reflect the unexpended  
 17 budgeted amounts from the previous fiscal year.  
 18 3. Annual membership dues for organizations,  
 19 associations, and conferences shall not be paid from  
 20 moneys appropriated pursuant to section 2.12.  
 21 4. Costs for out-of-state travel and per diems  
 22 for out-of-state travel shall not be paid from moneys  
 23 appropriated pursuant to section 2.12.  
 24 Sec. 5. 2015 Iowa Acts, chapter 138, is amended by  
 25 adding the following new section:  
 26 NEW SECTION. SEC. 7A. Section 257.35, Code 2016,  
 27 is amended by adding the following new subsection:  
 28 NEW SUBSECTION. 10A. Notwithstanding subsection 1,  
 29 and in addition to the reduction applicable pursuant  
 30 to subsection 2, the state aid for area education  
 31 agencies and the portion of the combined district cost



32 calculated for these agencies for the fiscal year  
 33 beginning July 1, 2016, and ending June 30, 2017, shall  
 34 be reduced by the department of management by twenty  
 35 million dollars. The reduction for each area education

Page 4

1 agency shall be prorated based on the reduction that  
 2 the agency received in the fiscal year beginning July  
 3 1, 2003.

4 Sec. 6. Section 2.48, subsection 3, Code 2016, is  
 5 amended by adding the following new paragraph:

6 NEW PARAGRAPH. *Of.* In 2016:

7 (1) The homestead tax credit under chapter 425.

8 (2) The elderly and disabled property tax credit  
 9 under chapter 425.

10 (3) The agricultural land tax credit under chapter  
 11 426.

12 (4) The military service tax credit under chapter  
 13 426A.

14 (5) The business property tax credit under chapter  
 15 426C.

16 (6) The commercial and industrial property tax  
 17 replacement claims under section 441.21A.

18 Sec. 7. Section 230.8, Code 2016, is amended to  
 19 read as follows:

20 **230.8 Transfers of persons with mental illness —**  
 21 **expenses.**

22 The transfer to any state hospitals or to the places  
 23 of their residence of persons with mental illness who  
 24 have no residence in this state or whose residence is  
 25 unknown and deemed to be a state case, shall be made  
 26 according to the directions of the administrator,  
 27 and when practicable by employees of the state  
 28 hospitals. The actual and necessary expenses of such  
 29 transfers shall be paid by the department on itemized  
 30 vouchers sworn to by the claimants and approved by  
 31 the administrator, ~~and the amount of the expenses is~~  
 32 ~~appropriated to the department from any funds in the~~  
 33 ~~state treasury not otherwise appropriated.~~

34 Sec. 8. Section 820.24, Code 2016, is amended to  
 35 read as follows:

Page 5

1 **820.24 Expenses — how paid.**

2 When the punishment of the crime shall be the  
 3 confinement of the criminal in the penitentiary, the  
 4 expenses shall be paid ~~out of the state treasury, on~~  
 5 ~~the certificate of the governor and warrant of the~~  
 6 ~~director of the department of administrative services~~  
 7 by the department of corrections; and in all other

8 cases they shall be paid out of the county treasury in  
 9 the county wherein the crime is alleged to have been  
 10 committed. The expenses shall be the fees paid to the  
 11 officers of the state on whose governor the requisition  
 12 is made, and all necessary and actual traveling  
 13 expenses incurred in returning the prisoner.

#### 14 DIVISION IV

#### 15 MISCELLANEOUS PROVISIONS

16 Sec. 9. BUDGET PROCESS FOR FISCAL YEAR 2017–2018.

17 1. For the budget process applicable to the fiscal  
 18 year beginning July 1, 2017, on or before October 1,  
 19 2016, in lieu of the information specified in section  
 20 8.23, subsection 1, unnumbered paragraph 1, and  
 21 paragraph “a”, all departments and establishments of  
 22 the government shall transmit to the director of the  
 23 department of management, on blanks to be furnished  
 24 by the director, estimates of their expenditure  
 25 requirements, including every proposed expenditure, for  
 26 the ensuing fiscal year, together with supporting data  
 27 and explanations as called for by the director of the  
 28 department of management after consultation with the  
 29 legislative services agency.

30 2. The estimates of expenditure requirements  
 31 shall be in a form specified by the director of  
 32 the department of management, and the expenditure  
 33 requirements shall include all proposed expenditures  
 34 and shall be prioritized by program or the results to  
 35 be achieved. The estimates shall be accompanied by

Page 6

1 performance measures for evaluating the effectiveness  
 2 of the programs or results.

3 Sec. 10. TIME AND ATTENDANCE SOLUTION — EXECUTIVE  
 4 BRANCH. It is the intent of the general assembly that  
 5 executive branch agencies make use of an existing  
 6 master agreement entered into by the department of  
 7 administrative services on November 17, 2015, to  
 8 develop a statewide time and attendance solution.  
 9 The statewide time and attendance solution will  
 10 have the ability to generate savings within state  
 11 government, minimize compliance risk, and improve  
 12 workforce productivity with a vendor who specializes in  
 13 measuring metrics to monitor performance and measures  
 14 financial and operational activities by incorporating  
 15 modeling and data analytics, baseline numbers, and any  
 16 additional pertinent information.

17 Sec. 11. WATER QUALITY — IOWA FINANCE  
 18 AUTHORITY. There is appropriated from the general fund  
 19 of the state to the Iowa finance authority for the  
 20 fiscal year beginning July 1, 2016, and ending June 30,  
 21 2017, the following amount, or so much thereof as is

22 necessary, to be used for the purpose designated:  
 23 For deposit in the water quality financial  
 24 assistance fund created in section 16.134A, if enacted  
 25 by 2016 Iowa Acts, House File 2451:  
 26 ..... \$ 2,000,000  
 27 Sec. 12. SALARY MODEL ADMINISTRATOR. The salary  
 28 model administrator shall work in conjunction with  
 29 the legislative services agency to maintain the  
 30 state's salary model used for analyzing, comparing,  
 31 and projecting state employee salary and benefit  
 32 information, including information relating to  
 33 employees of the state board of regents. The  
 34 department of revenue, the department of administrative  
 35 services, the five institutions under the jurisdiction

Page 7

1 of the state board of regents, the judicial district  
 2 departments of correctional services, and the state  
 3 department of transportation shall provide salary data  
 4 to the department of management and the legislative  
 5 services agency to operate the state's salary  
 6 model. The format and frequency of provision of the  
 7 salary data shall be determined by the department of  
 8 management and the legislative services agency. The  
 9 information shall be used in collective bargaining  
 10 processes under chapter 20 and in calculating the  
 11 funding needs contained within the annual salary  
 12 adjustment legislation. A state employee organization  
 13 as defined in section 20.3, subsection 4, may request  
 14 information produced by the model, but the information  
 15 provided shall not contain information attributable to  
 16 individual employees.

17 Sec. 13. Section 24.32, Code 2016, is amended to  
 18 read as follows:

19 **24.32 Decision certified.**

20 After a hearing upon the appeal, the state board  
 21 shall certify its decision to the county auditor and  
 22 to the parties to the appeal as provided by rule, and  
 23 the decision shall be final. The county auditor shall  
 24 make up the records in accordance with the decision and  
 25 the levying board shall make its levy in accordance  
 26 with the decision. Upon receipt of the decision, the  
 27 certifying board shall correct its records accordingly,  
 28 if necessary. Final disposition of all appeals shall  
 29 be made by the state board ~~on or before April 30 of~~  
 30 each year within forty-five days after the date of the  
 31 appeal hearing.

32 Sec. 14. Section 284.6, subsection 8, Code 2016, is  
 33 amended to read as follows:

34 8. For each year in which a school district  
 35 receives funds calculated and paid to school

Page 8

1 districts for professional development pursuant to  
 2 section 257.10, subsection 10, or section 257.37A,  
 3 subsection 2, the school district shall create quality  
 4 professional development opportunities. Not less  
 5 than thirty-six hours in the school calendar, held  
 6 outside of the minimum school day, shall be set aside  
 7 during nonpreparation time or designated professional  
 8 development time to allow practitioners to collaborate  
 9 with each other to deliver educational programs and  
 10 assess student learning, or to engage in peer review  
 11 pursuant to section 284.8, subsection 1. The funds  
 12 may be used to implement the professional development  
 13 provisions of the teacher career paths and leadership  
 14 roles specified in section 284.7 or 284.15, including  
 15 but not limited to providing professional development  
 16 to teachers, including additional salaries for  
 17 time beyond the normal negotiated agreement; pay  
 18 for substitute teachers; professional development  
 19 materials, speakers, and professional development  
 20 content; textbooks and curriculum materials used for  
 21 classroom purposes, if purchase of such textbooks and  
 22 curriculum materials includes professional development;  
 23 and costs associated with implementing the individual  
 24 professional development plans. The use of the funds  
 25 shall be balanced between school district, attendance  
 26 center, and individual professional development plans,  
 27 making every reasonable effort to provide equal access  
 28 to all teachers.

29 Sec. 15. Section 418.12, subsection 5, Code 2016,  
 30 is amended to read as follows:

31 5. If the department of revenue determines that  
 32 the revenue accruing to the fund or accounts within  
 33 the fund exceeds thirty million dollars for a fiscal  
 34 year or exceeds the amount necessary for the purposes  
 35 of this chapter if the amount necessary is less than

Page 9

1 thirty million dollars for a fiscal year, then those  
 2 excess moneys shall be credited by the department of  
 3 revenue for deposit in the general fund of the state.

4 Sec. 16. Section 669.11, Code 2016, is amended to  
 5 read as follows:

6 **669.11 Payment of award.**

7 1. Any Except as provided in subsection 2, an award  
 8 to a claimant under this chapter, and any judgment in  
 9 favor of any claimant under this chapter, shall be  
 10 paid promptly out of appropriations which have been  
 11 made for such purpose, if any; but any such amount or  
 12 part thereof which cannot be paid promptly from such

13 appropriations shall be paid promptly out of any money  
14 in the state treasury not otherwise appropriated.  
15 Payment shall be made only upon receipt of a written  
16 release by the claimant in a form approved by the  
17 attorney general.

18 2. An award under this chapter, and any judgment  
19 in favor of any claimant under this chapter, for a  
20 claim relating to conduct or actions of an employee  
21 of the hospital and medical clinics at the university  
22 of Iowa that is paid by moneys from the general fund  
23 of the state through the state appeal board shall be  
24 reimbursed by the hospital and medical clinics at the  
25 university of Iowa. Payment shall be made only upon  
26 receipt of a written release by the claimant in a form  
27 approved by the attorney general.

28 Sec. 17. Section 915.25, subsection 3, as enacted  
29 by 2016 Iowa Acts, Senate File 2288, section 16, is  
30 amended to read as follows:

31 3. Notwithstanding the provisions of sections  
32 232.147, 232.149, and 232.149A, an intake or juvenile  
33 court officer shall disclose to the alleged victim  
34 of a delinquent act, upon the request of the victim,  
35 the complaint, the name and address of the child

Page 10

1 who allegedly committed the delinquent act, and  
2 the disposition of the complaint. If the alleged  
3 delinquent act would be a forcible felony serious  
4 misdemeanor, aggravated misdemeanor, or felony offense  
5 if committed by an adult, the intake or juvenile court  
6 officer shall provide notification to the victim of the  
7 delinquent act as required by section 915.24.

8 Sec. 18. 2016 Iowa Acts, Senate File 2314, section  
9 22, if enacted, is amended to read as follows:

10 SEC. 59. SECRETARY OF STATE. There is appropriated  
11 from the general fund of the state to the office of  
12 the secretary of state for the fiscal year beginning  
13 July 1, 2016, and ending June 30, 2017, the following  
14 amounts, or so much thereof as is necessary, to be used  
15 for the purposes designated:

16 1. ADMINISTRATION AND ELECTIONS

17 For salaries, support, maintenance, and  
18 miscellaneous purposes, and for not more than the  
19 following full-time equivalent positions:

20 .....	\$	1,440,890
21 .....	FTEs	<del>13.10</del>
22 .....		<u>15.60</u>

23 The state department or state agency which provides  
24 data processing services to support voter registration  
25 file maintenance and storage shall provide those  
26 services without charge.

27 2. BUSINESS SERVICES

28 For salaries, support, maintenance, and  
29 miscellaneous purposes, and for not more than the  
30 following full-time equivalent positions:

31 .....	\$	1,440,891
32 .....	FTEs	<u>13.10</u>
33		<u>15.60</u>

34 DIVISION V  
35 CORRECTIVE PROVISIONS

Page 11

1 Sec. 19. Section 29C.24, subsection 3, paragraph  
2 a, subparagraphs (3) and (6), if enacted by 2016 Iowa  
3 Acts, Senate File 2306, section 2, are amended to read  
4 as follows:

5 (3) The imposition of income taxes under chapter  
6 422, divisions II and III, including the requirement  
7 to file tax returns under sections 422.13 through  
8 422.15 or section 422.36, as applicable, and  
9 including the requirement to withhold and remit  
10 income tax from out-of-state employees under section  
11 422.16. In addition, the performance of disaster or  
12 emergency-related work during a disaster response  
13 period by an out-of-state business or out-of-state  
14 employee shall not require an out-of-state business  
15 to be included in a consolidated return under section  
16 422.37, and shall not increase the amount of net income  
17 of the out-of-state business allocated and apportioned  
18 to the state under ~~sections~~ section 422.8 or 422.33, as  
19 applicable.

20 (6) The assessment of property taxes by the  
21 department of revenue under sections 428.24 through  
22 428.26, 428.28, and 428.29, or chapters 433, 434,  
23 435, and 437 through 438, or by a local assessor  
24 under another provision of law, on property brought  
25 into the state to aid in the performance of disaster  
26 or emergency-related work during a disaster response  
27 period if such property does not remain in the state  
28 after the conclusion of the disaster response period.

29 Sec. 20. Section 29C.24, subsection 4, if enacted  
30 by 2016 Iowa Acts, Senate File 2306, section 2, is  
31 amended to read as follows:

32 4. *Business and employee status after a disaster*  
33 *response period.* An out-of-state business or  
34 out-of-state employee that remains in the state after  
35 the conclusion of the disaster response period ~~for~~

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1 during which the disaster or emergency-related work  
2 was performed shall be fully subject to the state's  
3 standards for establishing presence, residency, or  
4 doing business as otherwise provided by law, and  
5 shall be responsible for any resulting taxes, fees,  
6 licensing, registration, filing, or other requirements.

7 Sec. 21. Section 155A.13, subsection 3, paragraph  
8 d, if enacted by 2016 Iowa Acts, Senate File 453,  
9 section 3, is amended to read as follows:

10 d. An applicant seeking a special or limited-use  
11 pharmacy ~~licensed~~ license for a proposed telepharmacy  
12 site that does not meet the mileage requirement  
13 established in paragraph "c" and is not statutorily  
14 exempt from the mileage requirement may apply to the  
15 board for a waiver of the mileage requirement. A  
16 waiver request shall only be granted if the applicant  
17 can demonstrate to the board that the proposed  
18 telepharmacy site is located in an area where there is  
19 limited access to pharmacy services and can establish  
20 the existence of compelling circumstances that justify  
21 waiving the mileage requirement. The board's decision  
22 to grant or deny a waiver request shall be a proposed  
23 decision subject to mandatory review by the director  
24 ~~of the department~~ of public health. The director  
25 shall review a proposed decision and shall have the  
26 power to approve, modify, or veto a proposed decision.  
27 The director's decision on a waiver request shall be  
28 considered final agency action subject to judicial  
29 review under chapter 17A.

30 Sec. 22. Section 229.13, subsection 7, paragraph a,  
31 subparagraph (1), if enacted by 2016 Iowa Acts, Senate  
32 File 2259, section 1, is amended to read as follows:

33 (1) The respondent's mental health professional  
34 acting within the scope of the mental health  
35 professional's practice shall notify the committing

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1 court, with preference given to the committing judge,  
2 if available, in the appropriate county ~~who and the~~  
3 court shall enter a written order directing that  
4 the respondent be taken into immediate custody by  
5 the appropriate sheriff or sheriff's deputy. The  
6 appropriate sheriff or sheriff's deputy shall exercise  
7 all due diligence in taking the respondent into  
8 protective custody to a hospital or other suitable  
9 facility.

10 Sec. 23. Section 256.11, subsection 4, Code 2016,  
11 as amended by 2016 Iowa Acts, House File 2392, section  
12 26, if enacted, is amended to read as follows:

13 4. The following shall be taught in grades seven  
 14 and eight: English-language arts; social studies;  
 15 mathematics; science; health; age-appropriate and  
 16 research-based human growth and development; career  
 17 exploration and development; physical education; music;  
 18 and visual art. Career exploration and development  
 19 shall be designed so that students are appropriately  
 20 prepared to create an individual career and academic  
 21 plan pursuant to section 279.61, incorporate  
 22 foundational career and technical education concepts  
 23 aligned with the six career and technical education  
 24 service areas as defined in ~~paragraph~~ subsection 5,  
 25 ~~subsection paragraph "h"~~, and incorporate relevant  
 26 twenty-first century skills. The health curriculum  
 27 shall include age-appropriate and research-based  
 28 information regarding the characteristics of  
 29 sexually transmitted diseases, including HPV and the  
 30 availability of a vaccine to prevent HPV, and acquired  
 31 immune deficiency syndrome. The state board as part  
 32 of accreditation standards shall adopt curriculum  
 33 definitions for implementing the program in grades  
 34 seven and eight. However, this subsection shall  
 35 not apply to the teaching of career exploration and

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1 development in nonpublic schools. For purposes of this  
 2 section, "*age-appropriate*", "*HPV*", and "*research-based*"  
 3 mean the same as defined in section 279.50.  
 4 Sec. 24. Section 272.25, subsection 3, Code 2016,  
 5 as amended by 2016 Iowa Acts, Senate File 2196, section  
 6 3, is amended to read as follows:  
 7 3. A requirement that the program include  
 8 instruction in skills and strategies to be used in  
 9 classroom management of individuals, and of small and  
 10 large groups, under varying conditions; skills for  
 11 communicating and working constructively with pupils,  
 12 teachers, administrators, and parents; preparation in  
 13 reading theory, knowledge, strategies, and approaches,  
 14 and for integrating literacy instruction ~~in~~ into  
 15 content areas in accordance with section 256.16; and  
 16 skills for understanding the role of the board of  
 17 education and the functions of other education agencies  
 18 in the state. The requirement shall be based upon  
 19 recommendations of the department of education after  
 20 consultation with teacher education faculty members in  
 21 colleges and universities.  
 22 Sec. 25. Section 521A.6B, subsection 5, paragraph  
 23 e, if enacted by 2016 Iowa Acts, House File 2394,  
 24 section 10, is amended to read as follows:  
 25 e. Entering into agreements with or obtaining  
 26 documentation from any insurer registered under



27 section 521A.4, any member of an internationally  
 28 active insurance group, and any other state, federal,  
 29 or international regulatory agency for members of the  
 30 internationally active insurance group, that provides  
 31 the basis for or otherwise clarifies the commissioner's  
 32 role as group-wide supervisor of an internationally  
 33 active insurance group, including provisions for  
 34 resolving disputes with other regulatory officials.  
 35 Such agreements or documentation shall not serve as

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1 evidence in any proceeding that any insurer or person  
 2 within an insurance ~~company~~ holding company system  
 3 not domiciled or incorporated in this state is doing  
 4 business in this state or is otherwise subject to  
 5 jurisdiction in this state.

6 Sec. 26. Section 598C.102, subsection 8, paragraph  
 7 b, if enacted by 2016 Iowa Acts, Senate File 2233,  
 8 section 2, is amended to read as follows:

9 b. An individual who has custodial responsibility  
 10 for a child under a law of this state other than this  
 11 chapter.

12 Sec. 27. 2016 Iowa Acts, House File 2269, section  
 13 20, subsection 1, is amended to read as follows:

14 1. It is amended, rescinded, or supplemented by the  
 15 affirmative action of the executive ~~council~~ committee  
 16 of the Iowa beef cattle producers association created  
 17 in section 181.3, as amended in this Act.

18 Sec. 28. 2016 Iowa Acts, Senate File 378, section  
 19 2, is amended to read as follows:

20 SEC. 2. REPEAL. Section 80.37, Code ~~2015~~ 2016, is  
 21 repealed.

22 Sec. 29. 2016 Iowa Acts, Senate File 2185, section  
 23 2, if enacted, is amended by striking the section and  
 24 inserting in lieu thereof the following:

25 SEC. 2. Section 709.21, subsection 3, Code 2016, is  
 26 amended to read as follows:

27 3. A person who violates this section commits a  
 28 ~~serious~~ an aggravated misdemeanor.

29 DIVISION VI

30 AREA EDUCATION AGENCY FUNDING

31 Sec. 30. SPECIAL EDUCATION SUPPORT SERVICES  
 32 FUNDING. Notwithstanding the provisions of section  
 33 257.35, subsection 11, and section 257.37, subsection  
 34 6, for the budget year beginning July 1, 2016, an area  
 35 education agency shall use the total amount determined

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1 to be available to the area education agency under  
 2 section 257.35 and any unreserved fund balances for  
 3 media services or education services that exceed  
 4 an amount equal to 5 percent of the area education  
 5 agency's budget for media services and education  
 6 services for that budget year, and including funds  
 7 that exceed the payment for special education support  
 8 services pursuant to section 257.35, in a manner to  
 9 best maintain the level of required area education  
 10 agency special education support services.  
 11 Sec. 31. EFFECTIVE UPON ENACTMENT. This division  
 12 of this Act, being deemed of immediate importance,  
 13 takes effect upon enactment.

14 DIVISION VII

15 SCHOOL DISTRICT FUNDING

16 Sec. 32. Section 257.2, subsection 2, Code 2016, is  
 17 amended by striking the subsection.

18 Sec. 33. **NEW SECTION. 257.14A District cost per**  
 19 **pupil equity — budget adjustment.**

20 1. The board of directors of an eligible school  
 21 district with a regular program district cost per pupil  
 22 for the budget year beginning July 1, 2016, that is  
 23 less than the highest regular program district cost  
 24 per pupil among all school districts in the state for  
 25 the same budget year that wishes to receive the budget  
 26 adjustment under this section may adopt a resolution  
 27 by June 30, 2016, and shall notify the department of  
 28 management of the adoption of the resolution and the  
 29 amount of the budget adjustment to be received.

30 2. *a.* For the budget year beginning July 1,  
 31 2016, each eligible school district that satisfies  
 32 the requirements of subsection 1 shall be eligible  
 33 for a budget adjustment for that budget year in an  
 34 amount not to exceed the difference between the school  
 35 district's regular program district cost per pupil

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1 for the budget year beginning July 1, 2016, and the  
 2 highest regular program district cost per pupil among  
 3 all school districts in the state for the same budget  
 4 year multiplied by the district's budget enrollment  
 5 for the budget year beginning July 1, 2016. The  
 6 resolution adopted under subsection 1 may specify a  
 7 budget adjustment amount that is less than the maximum  
 8 amount authorized under this paragraph "*a*".

9 *b.* The eligible school district shall fund the  
 10 budget adjustment solely by using cash reserve moneys  
 11 available to the school district during the budget  
 12 year beginning July 1, 2016. Amounts used to fund the

13 budget adjustment may be used by the school district  
14 for any school general fund purpose.

15 c. An eligible school district receiving a budget  
16 adjustment under this section shall be subject to the  
17 reduction of the maximum cash reserve levy authorized  
18 in section 298.10, subsection 3, paragraph “b”, and  
19 shall in one or more subsequent budget years reimburse  
20 the school district’s cash reserve amount the total  
21 amount of the budget adjustment received during the  
22 budget year beginning July 1, 2016, using school  
23 district general fund moneys that are part of the  
24 school district’s authorized expenditures in section  
25 257.7.

26 3. A budget adjustment received under this section  
27 shall not affect the eligibility for or amount of any  
28 other budget adjustment authorized by law for the same  
29 budget year. In addition, a budget adjustment under  
30 this section shall be limited to the budget year for  
31 which the adjustment was authorized and shall not be  
32 included in any computation of a school district’s cost  
33 for any future budget year.

34 4. For purposes of this section, “*eligible school*  
35 *district*” means a school district located in whole or

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1 in part within a county with a population in excess of  
2 one hundred fifty thousand but less than two hundred  
3 thousand and that has a budget enrollment in excess  
4 of ten thousand for the budget year beginning July 1,  
5 2016.

6 Sec. 34. Section 257.34, Code 2016, is amended to  
7 read as follows:

8 **257.34 Cash reserve information.**

9 1. If a school district receives less state school  
10 foundation aid under section 257.1 than is due under  
11 that section for a base year and the school district  
12 uses funds from its cash reserve during the base year  
13 to make up for the amount of state aid not paid, the  
14 board of directors of the school district shall include  
15 in its general fund budget document information about  
16 the amount of the cash reserve used to replace state  
17 school foundation aid not paid.

18 2. If a school district uses funds from its cash  
19 reserve during the budget year beginning July 1, 2016,  
20 to fund a budget adjustment under section 257.14A, the  
21 board of directors of the school district shall include  
22 in its general fund budget document information about  
23 the amount of the cash reserve used for such purpose.

24 Sec. 35. Section 298.10, subsection 3, Code 2016,  
25 is amended to read as follows:

26 3. a. For fiscal years beginning on or after

27 July 1, 2012, the cash reserve levy for a budget  
 28 year shall not exceed twenty percent of the general  
 29 fund expenditures for the year previous to the base  
 30 year minus the unexpended fund balance, as defined in  
 31 section 257.2, for the year previous to the base year.  
 32 b. For fiscal years beginning on or after July  
 33 1, 2017, the maximum amount of the cash reserve levy  
 34 calculated under paragraph "a" shall be reduced by an  
 35 amount equal to the amount of the budget adjustment

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1 authorized by the school district under section 257.14A  
 2 that has not been reimbursed by the school district  
 3 pursuant to section 257.14, subsection 2, paragraph  
 4 "c".  
 5 Sec. 36. EFFECTIVE UPON ENACTMENT. This division  
 6 of this Act, being deemed of immediate importance,  
 7 takes effect upon enactment.  
 8 DIVISION VIII  
 9 WATER UTILITIES  
 10 Sec. 37. Section 388.1, Code 2016, is amended by  
 11 adding the following new subsections:  
 12 **NEW SUBSECTION. 1A.** *"Population"* means the  
 13 population shown by the latest preceding certified  
 14 federal census or the latest applicable population  
 15 estimate issued by the federal government, whichever is  
 16 most recent and available as of July 1 of the preceding  
 17 fiscal year.  
 18 **NEW SUBSECTION. 2A.** *"Water utility services"*  
 19 means providing water at retail or wholesale cost;  
 20 water withdrawal, storage, treatment, or distribution  
 21 facilities; other equipment or facilities necessary for  
 22 the operation of a water utility; or water management,  
 23 operation, or billing services.  
 24 Sec. 38. Section 388.3, Code 2016, is amended to  
 25 read as follows:  
 26 **388.3 Procedure upon approval.**  
 27 1. If a proposal to establish a utility board  
 28 receives a favorable majority vote, the mayor shall  
 29 appoint the board members, as provided in the proposal,  
 30 subject to the approval of the council. The council  
 31 shall by resolution provide for staggered six-year  
 32 terms for, and shall set the compensation of, board  
 33 members.  
 34 2. A board member appointed to fill a vacancy  
 35 occurring by reason other than the expiration of a term

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1 is appointed for the balance of the unexpired term.  
 2 3. A public officer or a salaried employee of the  
 3 city may not serve on a utility board.  
 4 4. Notwithstanding section 388.2, a board for  
 5 a city with a population of more than one hundred  
 6 ninety thousand that provides water utility services  
 7 to persons who reside outside of the city limits or to  
 8 other cities shall be appointed as follows:  
 9 a. The mayor of the city with a population of one  
 10 hundred ninety thousand or more shall appoint two board  
 11 members, subject to approval by the city council.  
 12 b. The mayor of each city with a population of  
 13 more than fifteen thousand and less than one hundred  
 14 ninety thousand where the city utility provides utility  
 15 services shall each appoint one board member, subject  
 16 to approval by the respective city councils.  
 17 c. The board of supervisors of each county in which  
 18 the city utility provides utility services shall each  
 19 appoint one board member. Such board members shall  
 20 reside in an area in which the city utility provides  
 21 utility services that is not within a city with a  
 22 population of more than fifteen thousand. However, if  
 23 the utility services in the county are provided to a  
 24 rural water district organized under chapter 357A, the  
 25 board of the rural water district shall appoint the  
 26 board member.  
 27 5. The board established in subsection 4 shall, by  
 28 resolution, provide for staggered six-year terms and  
 29 shall set the compensation for the board members.  
 30 DIVISION IX  
 31 CITY UTILITY BILLINGS AND COLLECTIONS — LIENS  
 32 Sec. 39. Section 384.84, subsection 4, paragraph  
 33 a, Code 2016, is amended by adding the following new  
 34 subparagraph:  
 35 NEW SUBPARAGRAPH. (4) A lien under subparagraph

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1 (1) shall not be placed upon a premises that is a  
 2 mobile home, modular home, or manufactured home served  
 3 by any of the services under that subparagraph if the  
 4 mobile home, modular home, or manufactured home is  
 5 owned by a tenant of and located in a mobile home park  
 6 or manufactured home community and the mobile home park  
 7 or manufactured home community owner or manager is the  
 8 account holder, unless the lease agreement specifies  
 9 that the tenant is responsible for payment of a portion  
 10 of the rates or charges billed to the account holder.  
 11 Sec. 40. Section 384.84, subsections 10 and 11,  
 12 Code 2016, are amended to read as follows:

13 10. For the purposes of this section, “*premises*”  
 14 includes a mobile home, modular home, or manufactured  
 15 home ~~as defined in section 435.1, when the mobile home,~~  
 16 ~~modular home, or manufactured home is taxed as real~~  
 17 ~~estate, and mobile home park and “*manufactured home*~~  
 18 ~~*community*” mean as defined in section 435.1.~~

19 11. Notwithstanding subsection 4, except for mobile  
 20 home parks or manufactured home communities where the  
 21 mobile home park or manufactured home community owner  
 22 or manager is responsible for paying the rates or  
 23 charges for services, a lien shall not be filed against  
 24 the land if the premises are located on leased land.  
 25 If the premises are located on leased land, a lien may  
 26 be filed against the premises only.

#### 27 DIVISION X

#### 28 ELECTRIC TRANSMISSION LINES

29 Sec. 41. NEW SECTION. 478.6A Merchant line  
 30 franchises — requirements — limitations.

31 1. *a.* For purposes of this section, “*bifurcation*”  
 32 means the conducting of two separate hearings when  
 33 a petition involves the taking of property under  
 34 eminent domain, one hearing considering whether the  
 35 proposed line is necessary to serve a public use and

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1 represents a reasonable relationship to an overall plan  
 2 of transmitting electricity in the public interest, and  
 3 the other considering the granting of eminent domain  
 4 authority.

5 *b.* For purposes of this section, “*merchant*  
 6 *line*” means a high-voltage direct current electric  
 7 transmission line which does not provide for the  
 8 erection of electric substations at intervals of less  
 9 than fifty miles, which substations are necessary  
 10 to accommodate both the purchase and sale to persons  
 11 located in this state of electricity generated or  
 12 transmitted by the franchisee.

13 2. A petition for a franchise to construct a  
 14 merchant line, in addition to any other applicable  
 15 requirements pursuant to this chapter, shall be subject  
 16 to all of the following:

17 *a.* The board shall not permit the bifurcation in  
 18 any manner of a petition and shall reject any request  
 19 by a petitioner for bifurcation.

20 *b.* Notwithstanding section 478.10, the sale and  
 21 transfer of a merchant line, by voluntary or judicial  
 22 sale or otherwise, shall not carry with it the transfer  
 23 of the franchise.

24 *c.* Notwithstanding section 478.21, if a petition  
 25 that involves the taking of property under eminent  
 26 domain is not approved by the board and a franchise

27 granted within three years following the date of  
 28 the first informational meeting held in any county  
 29 regarding the petition, pursuant to section 478.2, the  
 30 utilities board shall reject the petition and make a  
 31 record of the rejection. A petitioner may not file a  
 32 petition for the same or a similar project that has  
 33 been rejected under this subsection within sixty months  
 34 following the date of rejection.  
 35 *d.* The board shall not grant a petition that

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1 involves the taking of property under eminent domain  
 2 unless a minimum of seventy-five percent of the  
 3 easements necessary to construct the project have been  
 4 obtained voluntarily.  
 5 *e.* In considering whether to grant a petition that  
 6 involves the taking of property under eminent domain,  
 7 section 478.3, subsection 3, is not applicable, and  
 8 the term “*public*” shall be interpreted to be limited to  
 9 consumers located in this state.  
 10 Sec. 42. EFFECTIVE UPON ENACTMENT. This division  
 11 of this Act, being deemed of immediate importance,  
 12 takes effect upon enactment.  
 13 Sec. 43. APPLICABILITY. This division of this Act  
 14 is applicable to petitions for franchise filed on or  
 15 after November 1, 2014, that have not been approved  
 16 by the utilities board on or after the effective date  
 17 of this division of this Act, and to petitions for  
 18 franchise filed on or after the effective date of this  
 19 division of this Act.>>  
 20 2. Title page, line 4, after <date> by inserting  
 21 <and applicability>

## S-5178

1 Amend House File 2421, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 1, by striking lines 4 and 5 and inserting  
 4 <the areas of cardiopulmonary resuscitation and  
 5 automated external defibrillator use.>

TOD R. BOWMAN

## S-5179

### HOUSE AMENDMENT TO SENATE AMENDMENT TO HOUSE FILE 2064

1 Amend the Senate amendment, H-8196, to House File  
 2 2064, as amended, passed, and reprinted by the House,  
 3 as follows:

4 1. By striking page 1, line 5, through page 2, line  
5 28, and inserting:

6 <Sec. \_\_\_. Section 124.413, subsection 1, Code  
7 2016, is amended to read as follows:

8 1. A Except as provided in subsection 3 and  
9 sections 901.11 and 901.12, a person sentenced pursuant  
10 to section 124.401, subsection 1, paragraph "a", "b",  
11 "c", "e", or "f", shall not be eligible for parole or  
12 work release until the person has served a minimum  
13 period of confinement of one-third of the maximum  
14 indeterminate sentence prescribed by law.

15 Sec. \_\_\_. Section 124.413, Code 2016, is amended by  
16 adding the following new subsection:

17 NEW SUBSECTION. 3. A person serving a sentence  
18 pursuant to section 124.401, subsection 1, paragraph  
19 "b" or "c", shall be denied parole or work release,  
20 based upon all the pertinent information as determined  
21 by the court under section 901.11, subsection 1, until  
22 the person has served between one-half of the minimum  
23 term of confinement prescribed in subsection 1 and the  
24 maximum indeterminate sentence prescribed by law.

25 Sec. \_\_\_. Section 711.3, Code 2016, is amended to  
26 read as follows:

27 **711.3 Robbery in the second degree.**

28 All robbery which is not robbery in the first degree  
29 is robbery in the second degree, except as provided in  
30 section 711.3A. Robbery in the second degree is a class  
31 "C" felony.

32 Sec. \_\_\_. NEW SECTION. 711.3A Robbery in the third  
33 degree.

34 1. A person commits robbery in the third degree  
35 when, while perpetrating a robbery, the person commits

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1 an assault as described in section 708.2, subsection 6,  
2 upon another person.

3 2. Robbery in the third degree is an aggravated  
4 misdemeanor.

5 Sec. \_\_\_. Section 802.2B, Code 2016, is amended by  
6 adding the following new subsection:

7 NEW SUBSECTION. 5A. Child endangerment in  
8 violation of section 726.6, subsection 4, 5, or 6.

9 Sec. \_\_\_. NEW SECTION. 901.11 Parole eligibility  
10 determination by court — certain drug, child  
11 endangerment, and robbery offenses.

12 1. At the time of sentencing, the court shall  
13 determine when a person convicted under section  
14 124.401, subsection 1, paragraph "b" or "c", shall  
15 first become eligible for parole or work release  
16 within the parameters described in section 124.413,  
17 subsection 3, based upon all the pertinent information



18 including the person's criminal record, a validated  
19 risk assessment, and the negative impact the offense  
20 has had on the victim or other persons.

21 2. At the time of sentencing, the court shall  
22 determine when a person convicted of child endangerment  
23 as described in section 902.12, subsection 2, shall  
24 first become eligible for parole or work release within  
25 the parameters specified in section 902.12, subsection  
26 2, based upon all pertinent information including the  
27 person's criminal record, a validated risk assessment,  
28 and whether the offense involved multiple intentional  
29 acts or a series of intentional acts, or whether the  
30 offense involved torture or cruelty.

31 3. At the time of sentencing, the court shall  
32 determine when a person convicted of robbery in  
33 the second degree as described in section 902.12,  
34 subsection 3, shall first become eligible for parole  
35 or work release within the parameters specified in

Page 3

1 section 902.12, subsection 3, based upon all pertinent  
2 information including the person's criminal record, a  
3 validated risk assessment, and the negative impact the  
4 offense has had on the victim or other persons.

5 Sec. \_\_. **NEW SECTION. 901.12 Mandatory minimum**  
6 **sentence — parole eligibility — certain earlier drug**  
7 **offenses.**

8 1. Effective July 1, 2016, and notwithstanding  
9 section 124.413, a person whose sentence commenced  
10 prior to July 1, 2016, for a conviction under section  
11 124.401, subsection 1, paragraph "b" or "c", who has  
12 not previously been convicted of a forcible felony,  
13 and who does not have a prior conviction under section  
14 124.401, subsection 1, paragraph "a", "b", or "c",  
15 shall first be eligible for parole or work release  
16 after the person has served one-half of the minimum  
17 term of confinement prescribed in section 124.413.

18 2. When the board of parole considers a person  
19 for parole or work release pursuant to this section,  
20 the board shall consider all pertinent information  
21 including the person's criminal record, a validated  
22 risk assessment, and the negative impact the offense  
23 has had on the victim or other persons.

24 Sec. \_\_. Section 902.12, Code 2016, is amended to  
25 read as follows:

26 **902.12 Minimum sentence for certain felonies —**  
27 **eligibility for parole or work release.**

28 1. A person serving a sentence for conviction of  
29 the following felonies, including a person serving a  
30 sentence for conviction of the following felonies prior  
31 to July 1, 2003, shall be denied parole or work release

32 unless the person has served at least seven-tenths of  
 33 the maximum term of the person's sentence:  
 34 ~~1. a.~~ Murder in the second degree in violation of  
 35 section 707.3.

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1 ~~2. b.~~ Attempted murder in violation of section  
 2 707.11.  
 3 ~~3. c.~~ Sexual abuse in the second degree in  
 4 violation of section 709.3.  
 5 ~~4. d.~~ Kidnapping in the second degree in violation  
 6 of section 710.3.  
 7 ~~5. e.~~ Robbery in the first or second degree  
 8 in violation of section 711.2 or 711.3, except as  
 9 determined in subsection 3.  
 10 ~~6. f.~~ Vehicular homicide in violation of section  
 11 707.6A, subsection 1 or 2, if the person was also  
 12 convicted under section 321.261, subsection 4, based on  
 13 the same facts or event that resulted in the conviction  
 14 under section 707.6A, subsection 1 or 2.  
 15 2. A person serving a sentence for a conviction  
 16 of child endangerment as defined in section 726.6,  
 17 subsection 1, paragraph "b" that is described and  
 18 punishable under section 726.6, subsection 4, shall  
 19 be denied parole or work release until the person has  
 20 served between three-tenths and seven-tenths of the  
 21 maximum term of the person's sentence as determined  
 22 under section 901.11, subsection 2.  
 23 3. A person serving a sentence for a conviction for  
 24 robbery in the second degree in violation of section  
 25 711.3 for a conviction that occurs on or after July 1,  
 26 2016, shall be denied parole or work release until the  
 27 person has served between one-half and seven-tenths of  
 28 the maximum term of the person's sentence as determined  
 29 under section 901.11, subsection 3.>  
 30 2. Title page, lines 1 and 2, by striking <offense  
 31 of child endangerment resulting in death of a child or  
 32 minor,> and inserting <offenses of child endangerment  
 33 and robbery and criminal drug offenses.>

## S-5180

- 1 Amend Senate File 2327 as follows:
- 2 1. Page 4, by striking lines 27 through 30.
- 3 2. By striking page 5, line 33, through page 6,
- 4 line 14.
- 5 3. Page 6, line 19, after <all> by inserting <of>
- 6 4. Page 7, by striking line 17.
- 7 5. Page 7, by striking line 19.
- 8 6. Page 7, line 23, by striking <date.> and

- 9 inserting <date:>  
 10 7. Page 8, by striking lines 1 through 5.  
 11 8. By renumbering as necessary.

JOE BOLKCOM

**S-5181**

HOUSE AMENDMENT TO  
 SENATE FILE 492

- 1 Amend Senate File 492, as passed by the Senate, as  
 2 follows:  
 3 1. Page 1, line 1, by striking <Code 2015> and  
 4 inserting <Code 2016>  
 5 2. Page 1, by striking lines 18 through 21 and  
 6 inserting <additional needs. Upon request of the  
 7 department of human services, the executive council  
 8 may make available up to one hundred thousand dollars,  
 9 or so much as is necessary, for contract entity staff  
 10 support and case management training.>

**S-5182**

- 1 Amend House File 2468, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 4, after line 26 by inserting:  
 4 <Sec. \_\_\_. Section 476C.1, subsection 6, paragraph  
 5 d, Code 2016, is amended to read as follows:  
 6 *d.* Was initially placed into service on or after  
 7 July 1, 2005, and before January 1, ~~2017~~ 2018.>  
 8 2. Page 5, after line 28 by inserting:  
 9 <Sec. \_\_\_. Section 476C.5, Code 2016, is amended to  
 10 read as follows:  
 11 **476C.5 Certificate issuance period.**  
 12 A producer or purchaser of renewable energy shall  
 13 receive renewable energy tax credit certificates for  
 14 a ten-year period for each eligible renewable energy  
 15 facility under this chapter. The ten-year period for  
 16 issuance of the tax credit certificates begins with the  
 17 date the purchaser of renewable energy first purchases  
 18 electricity, hydrogen fuel, methane gas or other biogas  
 19 used to generate electricity, or heat for commercial  
 20 purposes from the eligible renewable energy facility  
 21 for which a tax credit is issued under this chapter,  
 22 or the date the producer of the renewable energy first  
 23 uses the energy produced by the eligible renewable  
 24 energy facility for on-site consumption. Renewable  
 25 energy tax credit certificates shall not be issued for  
 26 renewable energy purchased or produced for on-site  
 27 consumption after December 31, ~~2026~~ 2027.>  
 28 3. Page 6, after line 30 by inserting:

29 <\_\_. The section of this Act amending section  
 30 476C.1.>  
 31 4. Page 6, after line 31 by inserting:  
 32 <\_\_. The section of this Act amending section  
 33 476C.5.>  
 34 5. Page 7, after line 12 by inserting:  
 35 <Sec. \_\_\_. RETROACTIVE APPLICABILITY. The

Page 2

1 following provision or provisions of this Act apply  
 2 retroactively to January 1, 2016, for tax years  
 3 beginning on or after that date:  
 4 1. The section of this Act amending section 476C.1.  
 5 2. The section of this Act amending section  
 6 476C.5.>  
 7 6. By renumbering as necessary.

JOE BOLKCOM

## S-5183

1 Amend House File 2468, as amended, passed, and  
 2 reprinted by the House, as follows:  
 3 1. Page 1, after line 19 by inserting:  
 4 <Sec. \_\_\_. **NEW SECTION. 422.10A Geothermal tax**  
 5 **credit.**  
 6 1. For purposes of this section, unless the context  
 7 otherwise requires:  
 8 a. *“Qualified geothermal heat pump property”* means  
 9 any equipment that uses the ground or groundwater as  
 10 a thermal energy source to heat the dwelling unit of  
 11 the taxpayer or as a thermal energy sink to cool such  
 12 dwelling unit, which equipment meets the requirements  
 13 of the federal energy star program in effect at the  
 14 time that the expenditure for such equipment is made.  
 15 b. *“Qualified geothermal heat pump property*  
 16 *expenditures”* means an expenditure for qualified  
 17 geothermal heat pump property installed on or in  
 18 connection with a dwelling unit located in Iowa and  
 19 used as a residence by the taxpayer.  
 20 2. Except as provided in subsection 6, the taxes  
 21 imposed under this division, less the credits allowed  
 22 under section 422.12, shall be reduced by a geothermal  
 23 tax credit equal to ten percent of the qualified  
 24 geothermal heat pump property expenditures made by the  
 25 taxpayer during the tax year.  
 26 3. Qualified geothermal heat pump property  
 27 expenditures shall be deemed to have been made on the  
 28 date the installation is complete or, in the case  
 29 of new construction or reconstruction, the date the  
 30 original use of the structure by the taxpayer begins.

31 4. In the case of a taxpayer whose dwelling unit  
32 is part of a multiple housing cooperative organized  
33 under chapter 499A or a horizontal property regime  
34 under chapter 499B, the taxpayer shall be treated as  
35 having made the taxpayer's proportionate share of any

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1 qualified geothermal heat pump property expenditures  
2 made by the cooperative or the regime.

3 5. Any credit in excess of the tax liability is  
4 not refundable but the excess for the tax year may be  
5 credited to the tax liability for the following ten  
6 years or until depleted, whichever is earlier.

7 6. The credit provided in this section shall not  
8 be available during any tax year in which the federal  
9 residential energy efficient property tax credit for  
10 geothermal heat pumps provided in section 25D(a)(5) of  
11 the Internal Revenue Code is available. Any amount  
12 of expenditures used to calculate the credit provided  
13 in section 25D(a)(5) of the Internal Revenue Code  
14 shall not be considered qualified geothermal heat pump  
15 property expenditures for purposes of this section.>

16 2. Page 6, after line 31 by inserting:  
17 <Sec. \_\_. EFFECTIVE DATE. The section of this Act  
18 enacting section 422.10A takes effect January 1, 2017.>

19 3. Page 7, after line 25 by inserting:  
20 <Sec. \_\_. APPLICABILITY. The section of this  
21 Act enacting section 422.10A applies to qualified  
22 geothermal heat pump property expenditures incurred on  
23 or after January 1, 2017.>

24 4. Title page, line 9, after <entities,> by  
25 inserting <a geothermal tax credit.>

26 5. By renumbering as necessary.

JOE BOLKCOM

**S-5184**

1 Amend House File 2432, as amended, passed, and  
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <Section 1. Section 602.1401, subsection 1, Code  
6 2016, is amended to read as follows:

7 1. The supreme court shall establish, and may  
8 amend, a personnel system and a pay and benefits  
9 plan for court employees, judicial officers, and  
10 senior judges. The personnel system shall include a  
11 designation by position title, classification, and  
12 function of each position or class of positions within  
13 the judicial branch. Reasonable efforts shall be made

14 to accommodate the individual staffing and management  
 15 practices of the respective clerks of the district  
 16 court. The personnel system, in the employment of  
 17 court employees, shall not discriminate on the basis  
 18 of race, creed, color, sex, national origin, religion,  
 19 physical disability, or political party preference.  
 20 The supreme court, in establishing the personnel  
 21 system, shall implement the comparable worth directives  
 22 issued by the state court administrator under section  
 23 602.1204, subsection 2. The personnel system shall  
 24 include the prohibitions against sexual harassment  
 25 of full-time, part-time, and temporary employees set  
 26 out in section 19B.12, and shall include a grievance  
 27 procedure for discriminatory harassment. The personnel  
 28 system shall develop and distribute at the time of  
 29 hiring or orientation, a guide that describes for  
 30 employees the applicable sexual harassment prohibitions  
 31 and grievance, violation, and disposition procedures.  
 32 This subsection does not supersede the remedies  
 33 provided under chapter 216. This subsection shall not  
 34 be construed to allow the supreme court to set salaries  
 35 for judicial officers. The section shall be construed

Page 2

1 to require the public disclosure of the salaries of  
 2 court employees, and judicial officers and to disclose  
 3 any adjustments made to judicial officer salaries made  
 4 pursuant to section 602.1501.  
 5 Sec. 2. Section 602.1501, Code 2016, is amended by  
 6 striking the section and inserting in lieu thereof the  
 7 following:  
 8 **602.1501 Judicial salaries.**  
 9 The salaries of all judicial officers as defined in  
 10 section 602.1101 shall be set in accordance with the  
 11 judicial branch personnel system pursuant to section  
 12 602.1401 and paid from the general operating moneys  
 13 appropriated to the judicial branch. To the extent  
 14 moneys are available, all judicial officer salaries  
 15 shall be increased in each fiscal year by an amount  
 16 equal to the across-the-board percentage received by  
 17 noncontract covered state employees. A salary increase  
 18 shall be made a public record through an order from  
 19 the supreme court no less than thirty days prior to  
 20 the effective date of the increase. A salary increase  
 21 shall not take effect in a fiscal year until the  
 22 general operating moneys for the judicial branch have  
 23 been appropriated for that fiscal year.  
 24 Sec. 3. Section 602.6201, subsections 5, 6, 7, and  
 25 10, Code 2016, are amended by striking the subsections.  
 26 Sec. 4. Section 602.6301, Code 2016, is amended by  
 27 striking the section and inserting in lieu thereof the

28 following:

29 **602.6301 Number and apportionment of district**  
30 **associate judges.**

31 The supreme court shall prescribe, subject to the  
32 restrictions of this section, a formula to determine  
33 the number of district associate judges serving in  
34 each judicial election district. The formula shall be  
35 based on a model that measures and applies an estimated

Page 3

1 case-related workload formula of judicial officers, and  
2 shall account for administrative duties, travel time,  
3 and other judicial duties not related to a specific  
4 case.

5 Sec. 5. Section 602.6401, subsection 1, Code 2016,  
6 is amended to read as follows:

7 1. ~~Two hundred six magistrates~~ Magistrates shall  
8 be apportioned among the counties as provided in this  
9 section. Magistrates appointed pursuant to section  
10 602.6303 or 602.6402 shall not be counted for purposes  
11 of this section. This subsection does not authorize  
12 the judicial branch to reduce the number of apportioned  
13 magistrates for the purpose of making moneys available  
14 for salary increases for judicial officers as provided  
15 in section 602.1501.

16 Sec. 6. Section 602.9104, subsection 1, paragraph  
17 a, Code 2016, is amended to read as follows:

18 a. A judge to whom this article applies shall be  
19 paid an amount equal to the basic salary of the judge  
20 ~~as set by the general assembly~~ reduced by an amount  
21 designated as the judge's required contribution to the  
22 judicial retirement fund. The amount designated as  
23 the judge's required contribution shall be paid by the  
24 state in the manner provided in subsection 2.

25 Sec. 7. Section 602.9204, subsection 1, paragraph  
26 a, Code 2016, is amended by striking the paragraph.

27 Sec. 8. 2008 Iowa Acts, chapter 1191, section 14,  
28 subsection 7, as amended by 2010 Iowa Acts, chapter  
29 1193, section 26, is amended to read as follows:

30 7. The following are range 7 positions:  
31 administrator of the public broadcasting division  
32 of the department of education, director of the  
33 department of corrections, director of the department  
34 of education, director of human services, director  
35 of the department of economic development, executive

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1 director of the Iowa telecommunications and technology  
2 commission, executive director of the state board  
3 of regents, director of transportation, director of

4 the department of workforce development, director  
 5 of revenue, director of public health, ~~state court~~  
 6 ~~administrator~~, director of the department of  
 7 management, chief information officer, state debt  
 8 coordinator, and director of the department of  
 9 administrative services.

10 Sec. 9. REPEAL. 2013 Iowa Acts, chapter 140,  
 11 section 40, is repealed.

12 Sec. 10. EFFECTIVE DATE. The following provision  
 13 or provisions of this Act take effect July 1, 2017:

14 1. The section of this Act amending section  
 15 602.1401.

16 2. The section of this Act amending section  
 17 602.1501.

18 3. The section of this Act amending section  
 19 602.9204.

20 4. The section of this Act repealing 2013 Iowa  
 21 Acts, chapter 140, section 40.>

COMMITTEE ON APPROPRIATIONS  
 ROBERT E. DVORSKY, Chair

## S-5185

1 Amend Senate File 2325 as follows:

2 1. By striking everything after the enacting clause  
 3 and inserting:

4 <Section 1. Section 423.4, Code 2016, is amended by  
 5 adding the following new subsection:

6 **NEW SUBSECTION.** 12. *a.* For purposes of this  
 7 subsection, “*designated nonprofit hospital*” means a  
 8 nonprofit hospital licensed pursuant to chapter 135B  
 9 that satisfies all of the following requirements:

10 (1) The hospital entered into a written  
 11 construction contract on or after January 1, 2014, but  
 12 prior to December 31, 2016, or the hospital issued  
 13 bonds to fund construction on or after July 1, 2014,  
 14 but prior to December 31, 2016.

15 (2) The hospital is located in a county that  
 16 borders Illinois and has a population of at least one  
 17 hundred fifty thousand according to the 2010 certified  
 18 federal census.

19 (3) Between July 1, 2014, and December 31, 2018,  
 20 the hospital, including any affiliated system hospital  
 21 located in the same county, expends more than two  
 22 million dollars on capital expenditures for facilities  
 23 to provide inpatient or outpatient behavioral health  
 24 services, as determined by the department from the  
 25 Medicare cost reports prepared by the hospital.

26 *b.* Beginning July 1, 2017, a designated nonprofit  
 27 hospital in this state may make application to the  
 28 department for the refund of the sales or use tax



29 upon the sales price of all sales of goods, wares,  
30 or merchandise, or from services furnished to a  
31 contractor, used in the fulfillment of a written  
32 construction contract with the designated nonprofit  
33 hospital entered into on or after January 1, 2014,  
34 but prior to December 31, 2016. In order to qualify  
35 for the refund, the sale and delivery of the goods,

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1 wares, or merchandise, or the services furnished, must  
2 have occurred between January 1, 2014, and December  
3 31, 2017, and must have been purchased directly by a  
4 contractor, or by a contractor as the agent for the  
5 designated nonprofit hospital, or directly by the  
6 designated nonprofit hospital.  
7 c. Such contractor shall state under oath, on forms  
8 provided by the department, the amount of such sales  
9 of goods, wares, or merchandise, or services furnished  
10 and used in the performance of such contract, and upon  
11 which sales or use tax has been paid, and shall file  
12 such forms with the designated nonprofit hospital which  
13 has made any written contract for performance by the  
14 contractor.  
15 d. On or after July 1, 2017, but not more than  
16 three years after final settlement has been made, the  
17 designated nonprofit hospital shall make application  
18 to the department for any refund of the amount of the  
19 sales or use tax which shall have been paid upon any  
20 goods, wares, or merchandise, or services furnished.  
21 The application shall be made in the manner prescribed  
22 by the department and upon forms provided by the  
23 department. The department shall audit the claim  
24 and, if approved, issue a warrant to the designated  
25 nonprofit hospital in the amount of the sales or use  
26 tax which has been paid to the state of Iowa under  
27 the contract. However, for sales and use tax paid  
28 between January 1, 2014, and July 1, 2017, the total  
29 eligible refund shall be amortized equally over two  
30 calendar years, and the department shall issue one  
31 warrant each calendar quarter for forty-eight calendar  
32 quarters until the total applicable refund amount has  
33 been issued.  
34 e. The total amount of refunds provided pursuant to  
35 this subsection shall not exceed two million dollars.

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1 f. Any contractor who willfully makes a false  
2 report of tax paid under the provisions of this  
3 subsection is guilty of a simple misdemeanor and in  
4 addition shall be liable for the payment of the tax and

5 any applicable penalty and interest.  
 6 g. This subsection is repealed July 1, 2022, or  
 7 thirty days following the date on which two million  
 8 dollars in total refunds have been provided.>  
 9 2. Title page, by striking lines 1 through 5 and  
 10 inserting <An Act providing a sales tax refund for the  
 11 sale of goods and services furnished in fulfillment  
 12 of a written construction contract with a qualifying  
 13 nonprofit hospital, and providing penalties.>

CHRIS BRASE  
 ROBY SMITH

**S-5186**

HOUSE AMENDMENT TO  
 SENATE AMENDMENT TO  
 HOUSE FILE 2458

1 Amend the Senate amendment, H-8276, to House File  
 2 2458, as amended, passed, and reprinted by the House,  
 3 as follows:  
 4 1. Page 2, line 10, by striking <9,472,060> and  
 5 inserting <9,745,272>  
 6 2. Page 2, after line 10 by inserting:  
 7 <\_\_. Page 18, line 18, by striking <72.00> and  
 8 inserting <73.00>  
 9 3. Page 2, by striking lines 11 through 23.  
 10 4. By striking page 2, line 25, through page 3,  
 11 line 12, and inserting:  
 12 <1. Notwithstanding section 99F.10, subsection 4,  
 13 and any other law to the contrary, two special agents,  
 14 previously designated gaming enforcement officers,  
 15 shall remain employed as special agents on or after  
 16 July 1, 2016, at a facility licensed under chapter 99F.  
 17 After a special agent retires or otherwise leaves a  
 18 special agent position specified in this subsection,  
 19 the special agent full-time equivalent position  
 20 specified in this subsection shall be eliminated and  
 21 shall not be filled.  
 22 2. Notwithstanding section 99F.10, subsection 4,  
 23 and for purposes of determining the amount of license  
 24 fees and regulatory fees charged pursuant to section  
 25 99F.10, subsection 4, the state racing and gaming  
 26 commission shall include the cost of the salary of the  
 27 special agents specified under subsection 1 plus any  
 28 direct and indirect support costs of such agents.  
 29 Sec. \_\_. OTHER ACT EFFECTIVE UPON ENACTMENT OF  
 30 THIS ACT. 2016 Iowa Acts, Senate File 2326, section 1,  
 31 if enacted, being deemed of immediate importance, takes  
 32 effect upon enactment of this Act.

33 Sec. \_\_\_\_ EFFECTIVE UPON ENACTMENT. The section of  
 34 this Act, which makes 2016 Iowa Acts, Senate File 2326,  
 35 section 1, effective upon enactment of this Act, takes

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1 effect upon enactment.>  
 2 \_\_\_\_ Title page, line 1, after <system> by  
 3 inserting <, and including effective date provisions>>  
 4 5. By renumbering as necessary.

**S-5187**

HOUSE AMENDMENT TO  
 SENATE AMENDMENT TO  
 HOUSE FILE 2468

1 Amend the Senate amendment, H-8307, to House File  
 2 2468, as amended, passed, and reprinted by the House,  
 3 as follows:

4 1. Page 2, after line 15 by inserting:

5 <\_\_\_\_ Page 2, after line 16 by inserting:

6 <Sec. \_\_\_\_ Section 422.12A, subsection 2, Code  
 7 2016, is amended to read as follows:

8 2. The taxes imposed under this division, less  
 9 the credits allowed under section 422.12, shall be  
 10 reduced by an adoption tax credit equal to the amount  
 11 of qualified adoption expenses paid or incurred by the  
 12 taxpayer during the tax year in connection with the  
 13 adoption of a child by the taxpayer, not to exceed  
 14 ~~two thousand five hundred~~ five thousand dollars per  
 15 adoption.>>

16 2. Page 3, by striking lines 13 and 14 and  
 17 inserting:

18 <Sec. \_\_\_\_ EFFECTIVE DATE. The following provision  
 19 or provisions of this Act take effect January 1, 2017:

20 1. The section of this Act enacting section  
 21 422.10A.

22 2. The section of this Act amending section  
 23 422.12A.>

24 3. Page 3, after line 27 by inserting:

25 <Sec. \_\_\_\_ APPLICABILITY. The following provision  
 26 or provisions of this Act apply to tax years beginning  
 27 on or after January 1, 2017:

28 1. The section of this Act amending section  
 29 422.12A.>

30 4. Page 3, line 29, after <credit,> by inserting  
 31 <the adoption tax credit,>

32 5. By renumbering, redesignating, and correcting  
 33 internal references as necessary.

**S-5188**

1 Amend the House amendment, S-5107, to Senate File  
2 2109, as passed by the Senate, as follows:  
3 1. Page 1, after line 6 by inserting:  
4 <\_\_. Page 3, after line 15 by inserting:  
5 <DIVISION \_\_  
6 ELECTRIC TRANSMISSION LINES  
7 Sec. \_\_. Section 478.6A, subsection 2, paragraphs  
8 a and c, Code 2016, if enacted by 2016 Iowa Acts, House  
9 File 2459, section 37, are amended by striking the  
10 paragraphs.>>  
11 2. By renumbering, redesignating, and correcting  
12 internal references as necessary.

MICHAEL E. GRONSTAL

# REPORTS OF CONFERENCE COMMITTEES

## Senate Files

### SENATE FILE 174

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 174, a bill for an Act establishing the state percent of growth, respectfully make the following report:

1. That the House recedes from its amendment, S-5001.

2. That Senate File 174, as passed by the Senate, is amended to read as follows:

1. By striking everything after the enacting clause and inserting:

<Section 1. Section 257.8, subsection 1, Code 2016, is amended to read as follows:

1. State percent of growth. ~~The state percent of growth for the budget year beginning July 1, 2013, is two percent.~~ The state percent of growth for the budget year beginning July 1, 2014, is four percent. The state percent of growth for the budget year beginning July 1, 2015, is one and twenty-five hundredths percent. The state percent of growth for the budget year beginning July 1, 2016, is two and twenty-five hundredths percent. The state percent of growth for each subsequent budget year shall be established by statute which shall be enacted within thirty days of the submission in the year preceding the base year of the governor's budget under section 8.21. The establishment of the state percent of growth for a budget year shall be the only subject matter of the bill which enacts the state percent of growth for a budget year.

Sec. 2. CODE SECTION 257.8 — IMPLEMENTATION. The requirement of section 257.8, subsection 1, regarding the enactment of bills establishing the regular program state percent of growth within thirty days of the submission in the year preceding the base year of the governor's budget does not apply to this Act.

Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.>

3. Title page, line 1, after <growth> by inserting <and including effective date provisions>

ON THE PART OF THE SENATE:

TOD R. BOWMAN, CHAIR  
ROBERT E. DVORSKY  
TIM KRAAYENBRINK  
HERMAN C. QUIRMBACH  
AMY SINCLAIR

ON THE PART OF THE HOUSE:

RON JORGENSEN, CHAIR  
CECIL DOLECHECK  
QUENTIN STANERSON

### SENATE FILE 175

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 175, a bill for an Act establishing the categorical state percent of growth, respectfully make the following report:

1. That the House recedes from its amendment, S-5002.

2. That Senate File 175, as passed by the Senate, is amended to read as follows:

1. By striking everything after the enacting clause and inserting:

<Section 1. Section 257.8, subsection 2, Code 2016, is amended to read as follows:

2. Categorical state percent of growth. ~~The categorical state percent of growth for the budget year beginning July 1, 2013, is two percent.~~ The categorical state percent of growth for the budget year beginning July 1, 2014, is four percent. The categorical state percent of growth for the budget year beginning July 1, 2015, is one and twenty-five hundredths percent, The categorical state percent of growth for the budget year beginning July 1, 2016, is two and twenty-five hundredths percent. The categorical state percent of growth for each year shall be established by the statute which shall be enacted within thirty days of the submission in the year preceding the base year of the governor's budget under section 8.21. The establishment of the categorical state percent of growth for a budget year shall be the only subject matter of the bill which enacts the categorical state percent of growth for a budget year. The categorical state percent of growth may include state percents of growth for the teacher salary supplement, the professional development supplement, the early intervention supplement, and the teacher leadership supplement.

Sec. 2. CODE SECTION 257.8 — IMPLEMENTATION. The requirement of section 257.8, subsection 2, regarding the enactment of bills establishing the categorical state percent of growth within thirty days of the submission in the year preceding the base year of the governor's budget does not apply to this Act.

Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.>

2. Title page, line 1, after <growth> by inserting <and including effective date provisions>

ON THE PART OF THE SENATE:

TOD R. BOWMAN, CHAIR  
ROBERT E. DVORSKY  
TIM KRAAYENBRINK  
HERMAN C. QUIRMBACH  
AMY SINCLAIR

ON THE PART OF THE HOUSE:

RON JORGENSEN, CHAIR  
CECIL DOLECHECK  
QUENTIN STANERSON

## SENATE FILE 2304

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 2304, a bill for an Act relating to standards for and certification and inspection children's residential facilities, respectfully make the following report:

1. That the House recedes from its amendment, S-5125.

2. That Senate File 2304, as passed by the Senate, is amended to read as follows:

1. Page 2, after line 32 by inserting:

<3. Standards established by the department under this chapter shall not regulate religious education curricula at children's residential facilities.>

2. Page 2, line 33, after <Rules> by inserting <and standards — requirements>

3. Page 3, by striking lines 2 through 14 and inserting:

<2. Before the administrator issues or reissues a certificate of approval to a children's residential facility under section 237C.6, the facility shall comply with standards adopted by the state fire marshal under chapter 100.

3. Rules governing sanitation, water, and waste disposal standards for children’s residential facilities shall be adopted by the department of human services in consultation with the director of public health.>

4. Page 3, line 19, after <rules> by inserting <and standards>

5. Page 3, line 20, after <rules> by inserting <and standards>

6. Page 3, after line 21 by inserting:

<6. Rules adopted under this section shall not regulate religious education curricula at children’s residential facilities.

7. Prior to establishing, proposing, adopting, or modifying a standard or rule under section 237C.3, this section, or section 282.34, the department of human services or the department of education, as applicable, shall, at a minimum, do all of the following:

a. Publish the entire text of the proposed standard, rule, or modification on its internet site.

b. Make every reasonable effort to notify the children’s residential facilities in this state of the proposed standard, rule, or modification.

c. Allow and invite any and all persons interested in the proposed standard, rule, or modification to submit written data, facts, opinions, comments, and arguments, which information shall be made publicly available and shall be filed with and maintained by the applicable department for at least five years from the date of submission to the applicable department.>

7. Page 5, line 23, after <state,> by inserting <the department of education,>

8. Page 5, line 27, after <violation.> by inserting <A civil action brought by the department of education under this subsection shall be limited to seeking relief from conduct constituting a violation of section 282.34.>

9. Page 6, line 25, after <fees.> by inserting <This paragraph shall not apply to sponsorship by a children’s residential facility of public radio or public television broadcasts.>

10. Page 6, after line 33 by inserting:

<2A. The department of education shall comply with the requirements of section 237C.4, subsection 7, regarding standards, rules, and modifications, and the responsibilities set forth for publication, notification, and receipt and maintenance of information filed with the department.>

11. Page 7, after line 1 by inserting:

<4. Rules adopted under this section shall not regulate religious education curricula at children’s residential facilities.>

12. Page 7, by striking lines 4 and 5 and inserting <department of human services and the department of education shall>

13. By renumbering, redesignating, and correcting internal references as necessary.

ON THE PART OF THE SENATE:

ROBERT M. HOGG, CHAIR  
 JOE BOLKCOM  
 TIM KRAAYENBRINK  
 HERMAN C. QUIRMBACH  
 AMY SINCLAIR

ON THE PART OF THE HOUSE:

BOBBY KAUFMANN, CHAIR  
 RUTH ANN GAINES  
 GREG HEARTSILL  
 JAKE HIGHFILL  
 VICKI LENSING

SENATE FILE 2320

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 2320, a bill for an Act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, the state aviation fund, and the federal surface transportation block grant program, respectfully make the following report:

- 1. That the House recedes from its amendment, S-5162.
- 2. That Senate File 2320, as passed by the Senate, is amended to read as follows:

- 1. By striking page 1, line 20, through page 2, line 5, and inserting:
  - <2. For salaries, support, maintenance, and miscellaneous purposes:
  - a. Operations:

.....	\$	<u>3,270,911</u>
		<u>6,679,706</u>
b. Planning:		
.....	\$	<u>210,487</u>
		<u>446,789</u>
c. Motor vehicles:		
.....	\$	<u>17,962,673</u>
		<u>36,063,965</u>
d. Performance and technology:		
.....	\$	<u>254,520</u>
		<u>513,720</u> >

- 2. By striking page 3, line 26, through page 4, line 25, and inserting:

<1. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

a. Operations:		
.....	\$	<u>20,148,023</u>
		<u>41,032,482</u>
		<u>267.00</u>
		<u>261.00</u>
b. Planning:		
.....	\$	<u>4,170,241</u>
		<u>8,488,981</u>
		<u>402.00</u>
		<u>98.00</u>
c. Highways:		
.....	\$	<u>110,414,428</u>
		<u>244,749,911</u>
		<u>2,056.00</u>
		<u>1,994.00</u>
d. Motor vehicles:		
.....	\$	<u>748,445</u>
		<u>1,502,665</u>
		<u>412.00</u>
		<u>402.00</u>



e. Performance and technology:

.....	\$	1,563,480
		<u>3,155,710</u>
.....	FTEs	<u>35.00</u>
		<u>34.00</u> >

3. Page 6, line 32, by striking <1,500,000> and inserting <60,000>

ON THE PART OF THE SENATE:

ON THE PART OF THE HOUSE:

MATT McCOY, CHAIR  
 TOD R. BOWMAN  
 JANET PETERSEN

DAN HUSEMAN, CHAIR  
 STEVE HOLT  
 GUY VANDER LINDEN

SENATE FILE 2324

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and House of Representatives on Senate File 2324, a bill for an Act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions, respectfully make the following report:

1. That the House recedes from its amendment, S-5174.

2. That Senate File 2324, as amended, passed, and reprinted by the Senate, is amended to read as follows:

1. Page 1, by striking lines 10 through 14 and inserting:

<For major maintenance projects:>

2. Page 1, by striking line 16 and inserting:

<..... \$ 9,489,237>

3. Page 1, by striking lines 23 through 30 and inserting:

<In addition, of the moneys appropriated in this subsection, the department should give priority to projects that address health and safety issues of Iowa law enforcement academy facilities.>

4. Page 2, by striking line 4 and inserting:

<..... \$ 5,200,000>

5. Page 2, line 17, by striking <\$450,000> and inserting <\$225, 000>

6. Page 4, by striking lines 31 through 34.

7. Page 5, line 18, by striking <35,000> and inserting <28,000>

8. Page 6, by striking lines 14 through 33.

9. Page 7, by striking line 12 and inserting:

<..... \$ 1,000,000>

10. Page 7, by striking lines 16 through 20.

11. Page 8, by striking line 24 and inserting:

<..... \$ 2,500,000>

12. Page 8, by striking line 35 and inserting:

<..... \$ 1,500,000>

13. Page 9, before line 1 by inserting:

<d. For infrastructure improvements at the commercial service airports within the state:

FY 2016-2017:

..... \$ 1,440,000>

14. By striking page 11, line 31, through page 12, line 2.

15. Page 12, by striking line 30 and inserting:

<..... \$ 300,000>

16. Page 14, after line 1 by inserting:

<As a condition of receiving the appropriation provided in this subsection, the department shall not expend any moneys to pay an owners' representative fee related to the repair and renovation of the dome of the Iowa state capitol.

Of the moneys appropriated in this subsection, the department shall be authorized to expend such amount as is necessary for the costs of installing outdoor lighting at the Iowa state capitol.>

17. Page 14, by striking lines 2 through 19 and inserting:

<2. JUDICIAL BRANCH

For furniture and equipment for the Polk county justice center:

..... \$ 6,718,443>

18. Page 14, after line 31 by inserting:

<Sec. \_\_. 2011 Iowa Acts, chapter 133, section 4, as amended by the 2015 Iowa Acts, chapter 139, section 8, is amended to read as follows:

SEC. 4. REVERSION.

1. Except as provided in ~~subsection~~ subsections 2 and 3, for purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys made from an appropriation in this division of this Act shall not revert but shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

2. For purposes of section 8.33, unless specifically provided otherwise, moneys appropriated in section 3, subsection 8, paragraph "b", of this division of this Act as amended by 2012 Iowa Acts, chapter 1140, section 18, that remain unencumbered or unobligated at the close of the fiscal year beginning July 1, 2014, shall not revert but shall remain available for the purpose designated until the close of the fiscal year that begins July 1, 2016, or until the project for which the appropriation was made is completed, whichever is earlier.

3. Of the moneys appropriated in section 3, subsection 5, paragraph "a", of this division of this 2011 Act as amended by 2012 Iowa Acts, chapter 1140, section 17, and 2013 Iowa Acts, chapter 142, section 47, on June 30, 2016, an amount equal to \$2,992,416 shall be transferred to the rebuild Iowa infrastructure fund created in section 8.57.>

19. Page 15, after line 31 by inserting:

<Sec. \_\_. 2014 Iowa Acts, chapter 1136, section 1, subsection 7, paragraph c, is amended to read as follows:

c. For the construction of a new facility and an addition, renovation, and modernization of current facilities and related improvements for biosciences at Iowa state university of science and technology:

FY 2015–2016:

..... \$ 11,000,000

FY 2016–2017:

..... \$ ~~19,500,000~~

..... \$ 15,500,000

FY 2017–2018:

..... \$ ~~19,500,000~~

..... \$ 23,500,000>

20. By striking page 15, line 32, through page 16, line 6.

21. Page 16, by striking lines 27 through 35.

22. By striking page 19, line 32, through page 20, line 4.

23. By striking page 20, line 30, through page 21, line 6.

24. Page 21, by striking lines 21 through 26 and inserting:

<Sec. \_\_. REBUILD IOWA INFRASTRUCTURE FUND — FUTURE APPROPRIATIONS. It is the intent of the general assembly that future appropriations from the rebuild Iowa infrastructure fund should be used, to the greatest extent possible, for public vertical infrastructure projects that involve major maintenance of state government facilities necessary for the proper functioning of state government.>

25. By renumbering, redesignating, and correcting internal references as necessary.

ON THE PART OF THE SENATE:

MATT McCOY, CHAIR  
 TOD R. BOWMAN  
 JANET PETERSEN

ON THE PART OF THE HOUSE:

DAN HUSEMAN, CHAIR  
 DENNIS COHOON  
 STEVE HOLT  
 JIM LYKAM  
 GUY VANDER LINDEN



# RESOLUTIONS ADOPTED

## EIGHTY-SIXTH GENERAL ASSEMBLY 2016 REGULAR SESSION

### SENATE JOINT RESOLUTIONS

**Senate Joint Resolution 2006:** filed February 17, 2016; adopted by the Senate on February 24, 2016; adopted by the House on March 28, 2016; printed on Senate Journal page 355.

**Senate Joint Resolution 2007:** filed February 18, 2016; adopted by the Senate on February 24, 2016; adopted by the House on March 29, 2016; printed on Senate Journal page 357.

### SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution 101:** filed April 29, 2016; adopted by the Senate on April 29, 2016; adopted by the House on April 29, 2016.

#### SENATE CONCURRENT RESOLUTION 101 By Committee on Rules and Administration

- 1 A concurrent resolution to provide for adjournment
- 2 sine die.
- 3 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
- 4 REPRESENTATIVES CONCURRING, That when adjournment
- 5 is had on Friday, April 29, 2016, it shall be the
- 6 final adjournment of the 2016 Regular Session of the
- 7 Eighty-sixth General Assembly.

### SENATE RESOLUTIONS

**Senate Resolution 105:** filed March 1, 2016; adopted by the Senate on March 7, 2016.

#### SENATE RESOLUTION 105 By Schneider

- 1 A resolution to declare March 11, 2016, as
- 2 Fibromuscular Dysplasia Awareness Day.
- 3 WHEREAS, Fibromuscular Dysplasia (FMD) is a disease
- 4 that causes abnormal cell growth of the arterial wall
- 5 leading to areas of narrowing, beading, aneurysms, and
- 6 tears of the arterial wall; and

7 WHEREAS, although FMD was first diagnosed in 1938,  
8 until recently there has been very little progress in  
9 understanding the disease, there is no known cause or  
10 cure for the disease, and there are no set protocols  
11 to treat the disease; and

12 WHEREAS, even though FMD has always been considered  
13 and is still classified as a rare disease, many  
14 researchers now believe FMD to be underdiagnosed  
15 with some data suggesting that 4 to 5 percent of the  
16 population may be affected by the disease; and

17 WHEREAS, while men and children may also have  
18 FMD, 90 percent of the patients affected by FMD are  
19 women; and

20 WHEREAS, although there are several different  
21 classifications of FMD, the two most common types are  
22 medial fibroplasia and intimal fibroplasia, with some  
23 patients presenting with both types of the disease, and  
24 different populations being diagnosed with different  
25 types of the disease; and

26 WHEREAS, unlike the adult population, children tend  
27 to be diagnosed with intimal fibroplasia, which can be  
28 more aggressive; and

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1 WHEREAS, FMD may often go undetected since some  
2 patients with FMD present with symptoms common to  
3 other disorders such as hypertension, headaches, and  
4 dizziness; others present with transient ischemic  
5 attack (TIA) or stroke, tearing of an artery, aneurysm,  
6 swooshing noise in the ear, and renal infarction;  
7 children may present with basic symptoms such as high  
8 blood pressure, headaches, insomnia, fatigue, and  
9 abdominal pain; and others may be asymptomatic; and

10 WHEREAS, those with FMD may have difficulty in  
11 obtaining an accurate and timely diagnosis with the  
12 common delay from onset of symptoms to diagnosis being  
13 five years, or may be misdiagnosed leading to severe  
14 consequences and disability; and

15 WHEREAS, in addition to a lack of diagnosis or  
16 misdiagnosis, individuals and families affected by  
17 FMD often experience isolation, the lack of optimal  
18 treatment options, and inaccuracy of information about  
19 the disease which, prior to the release of the newest  
20 data, inaccurately indicated that 75 percent of FMD  
21 cases affected the renal arteries; and

22 WHEREAS, while many rare diseases are relatively  
23 well-known, FMD is not well-known by the public or  
24 medical community resulting in patients and their  
25 families bearing a large share of the burden for  
26 educating others, including their own physicians, and  
27 raising funds for awareness and research; and

28 WHEREAS, the Fibromuscular Dysplasia Society  
 29 of America (FMDSA) was founded on March 11, 2003,  
 30 and, over the past 13 years, has been active and

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1 successful on many fronts including increasing public  
 2 and physician awareness, providing patient support,  
 3 engaging and working with researchers from around the  
 4 world, and providing funding for the United States  
 5 registry for FMD; and  
 6 WHEREAS, there is still much to be accomplished  
 7 to increase awareness and encourage research of the  
 8 disease; and  
 9 WHEREAS, the FMDSA is organizing a global observance  
 10 of FMD, and during the month of March each year,  
 11 patients, medical professionals, and researchers in  
 12 various locations join together to focus attention on  
 13 FMD as a public health issue; NOW THEREFORE,  
 14 BE IT RESOLVED BY THE SENATE, That March 11, 2016,  
 15 be declared Fibromuscular Dysplasia Awareness Day in  
 16 the State of Iowa.

**Senate Resolution 107:** filed March 10, 2016; adopted by the  
 Senate on March 21, 2016.

#### SENATE RESOLUTION 107

By Guth

1 A resolution recognizing July 16, 2016, as Iowa Atomic  
 2 Veterans Day.  
 3 WHEREAS, as a result of the Manhattan Project, the  
 4 United States conducted the Trinity nuclear test, the  
 5 first detonation of a nuclear device, in New Mexico on  
 6 July 16, 1945; and  
 7 WHEREAS, over 200,000 American service members,  
 8 including Iowans, participated in aboveground nuclear  
 9 tests between 1945 and 1962, were part of the United  
 10 States military occupation forces in Japan in or around  
 11 Hiroshima and Nagasaki before 1946, or were held as a  
 12 prisoner of war in or near Hiroshima or Nagasaki; and  
 13 WHEREAS, Iowans have been exposed to radiation due  
 14 to their work at the Ames Laboratory at Iowa State  
 15 University as part of the Manhattan Project and at the  
 16 Burlington Atomic Energy Commission Plant at the Iowa  
 17 Army Ammunition Plant located in Des Moines County; and  
 18 WHEREAS, these atomic veterans, both military and  
 19 civilian, may have been exposed to radiation as a  
 20 result of their service and, due to that exposure, may  
 21 have developed cancer or other medical conditions; and  
 22 WHEREAS, many atomic military veterans were  
 23 prevented by secrecy laws or oaths from seeking medical

24 care or disability compensation from the United States  
 25 Department of Veterans Affairs (VA) for conditions  
 26 they may have developed as a result of radiation  
 27 exposure; and  
 28 WHEREAS, in 1996, the United States Congress

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1 repealed the Nuclear Radiation and Secrecy Agreements  
 2 Act, freeing atomic military veterans to describe their  
 3 military involvement in nuclear testing in order to  
 4 file for VA benefits; and  
 5 WHEREAS, atomic military veterans may be eligible  
 6 for free medical care from the VA and compensation  
 7 in the form of a partial or full service-connected  
 8 disability allowance, including potential payments to  
 9 a surviving spouse or children; and  
 10 WHEREAS, the National Association of Atomic Veterans  
 11 was formed in 1979 to help atomic military veterans  
 12 obtain medical care and assistance; and  
 13 WHEREAS, it is altogether fitting and proper that  
 14 atomic veterans be recognized for their service and  
 15 sacrifice to the nation; NOW THEREFORE,  
 16 BE IT RESOLVED BY THE SENATE, That the Senate  
 17 recognizes July 16, 2016, as Iowa Atomic Veterans Day.

**Senate Resolution 108:** filed March 17, 2016; adopted by the  
 Senate on March 22, 2016.

SENATE RESOLUTION 108

By Jochum, Dix, and Gronstal

1 A resolution designating March 22, 2016, as Iowa  
 2 Women's History Day.  
 3 WHEREAS, Iowa women of every race, class, and  
 4 ethnic background have made historic contributions  
 5 to the growth and strength of our state and nation  
 6 in countless recorded and unrecorded ways including  
 7 through the struggle for women's rights; and  
 8 WHEREAS, Iowa women have played and continued to  
 9 play critical economic, cultural, and social roles in  
 10 our state by constituting a significant portion of the  
 11 labor force working inside and outside of the home  
 12 despite being underpaid; and  
 13 WHEREAS, Iowa women were particularly important in  
 14 the establishment of early charitable, philanthropic,  
 15 and cultural institutions in our state and nation; and  
 16 WHEREAS, Iowa women and men amended the Iowa  
 17 Constitution to provide that all men and women are, by  
 18 nature, free and equal, and have certain inalienable  
 19 rights; and  
 20 WHEREAS, Iowa women have been leaders in business,



21 government, industry, and academia, as well as in the  
22 abolitionist movement, the emancipation movement, the  
23 industrial labor movement, the civil rights movement,  
24 the peace movement, and the women's suffrage movement,  
25 helping to create a more fair and just society for  
26 all; and  
27 WHEREAS, despite these contributions, and those  
28 of women throughout the world, the role of women

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1 has been consistently overlooked and undervalued in  
2 the literature, teaching, and study of history; NOW  
3 THEREFORE,  
4 BE IT RESOLVED BY THE SENATE, That the Senate  
5 designates March 22, 2016, as Iowa Women's History  
6 Day and invites the citizens of Iowa to continue  
7 to discover the roles that Iowa women have played  
8 throughout the history of our state and nation.

**Senate Resolution 109:** filed March 21, 2016; adopted by the  
Senate on April 6, 2016.

SENATE RESOLUTION 109

By Bisignano

1 A resolution commemorating April 6, 2016, as the 25th  
2 anniversary of the conclusion of Operation Desert  
3 Shield/Desert Storm.  
4 WHEREAS, Operation Desert Shield/Desert Storm  
5 occurred from August 2, 1990, to April 6, 1991, in the  
6 Middle East; and  
7 WHEREAS, Iowa-based National Guard and Reserve  
8 units, and selected personnel, were deployed to  
9 the Middle East in support of Operation Desert  
10 Shield/Desert Storm; and  
11 WHEREAS, active duty military personnel from Iowa,  
12 stationed all over the world, served in Operation  
13 Desert Shield/Desert Storm in all branches of the  
14 United States Armed Forces; and  
15 WHEREAS, six military veterans and one civilian  
16 contractor from Iowa gave their lives during Operation  
17 Desert Shield/Desert Storm; and  
18 WHEREAS, on December 19, 2014, the National Desert  
19 Storm War Memorial Association received congressional  
20 and executive approval to build a National Desert Storm  
21 War Memorial in Washington, D.C., to honor the veterans  
22 from Iowa and the nation who were killed in Operation  
23 Desert Shield/Desert Storm; and  
24 WHEREAS, February 28, 2016, marks the 25th  
25 anniversary of the date a cease-fire was declared

26 concerning Operation Desert Shield/Desert Storm; and  
 27 WHEREAS, April 6, 2016, marks the 25th anniversary  
 28 of the date Iraq officially accepted cease-fire terms

Page 2

1 to conclude Operation Desert Shield/Desert Storm; NOW  
 2 THEREFORE,  
 3 BE IT RESOLVED BY THE SENATE, That the Senate  
 4 recognizes and shows support for the future National  
 5 Desert Storm War Memorial in Washington, D.C.; and  
 6 BE IT FURTHER RESOLVED, That the Senate commemorates  
 7 the 25th anniversary of the date Iraq officially  
 8 accepted cease-fire terms to conclude Operation Desert  
 9 Shield/Desert Storm, April 6, 2016, and urges the  
 10 citizens of this State to honor those Iowa veterans  
 11 who served their country during Operation Desert  
 12 Shield/Desert Storm.

**Senate Resolution 111:** filed March 30, 2016; adopted by the  
 Senate on April 7, 2016.

SENATE RESOLUTION 111

By Kraayenbrink, Segebart, Behn, and Guth

1 A resolution recognizing and congratulating the  
 2 Iowa Central Community College men's and women's  
 3 track, women's soccer, and men's cross country  
 4 teams and programs on their outstanding athletic  
 5 accomplishments.  
 6 WHEREAS, the Iowa Central Community College men's  
 7 and women's indoor track and field teams won the  
 8 National Junior College Athletic Association Indoor  
 9 Track and Field Championships held on March 4-5, 2016,  
 10 in Winston-Salem, North Carolina; and  
 11 WHEREAS, the men's and women's track and field  
 12 teams entered the championships ranked 1st and 2nd,  
 13 respectively; and  
 14 WHEREAS, the men's and women's track and field teams  
 15 have each won the national title four times since  
 16 2010; and  
 17 WHEREAS, the Iowa Central Community College women's  
 18 soccer team won the National Junior College Athletic  
 19 Association Women's Soccer Championships on November  
 20 21, 2015, on the Melbourne Campus of Eastern Florida  
 21 State University in Brevard County, Florida; and  
 22 WHEREAS, the women's soccer team entered the  
 23 championship ranked 3rd with a 15-1 record; and  
 24 WHEREAS, it was the women's soccer team's first  
 25 national title; and

26 WHEREAS, the Iowa Central Community College men's  
 27 cross country team won the National Junior College  
 28 Athletic Association Cross Country Championships held

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1 on November 14, 2015, in Fort Dodge, Iowa; and  
 2 WHEREAS, the men's cross country team was ranked 1st  
 3 for a majority of the season and won the national title  
 4 for the second consecutive year; NOW THEREFORE,  
 5 BE IT RESOLVED BY THE SENATE, That the Senate  
 6 recognizes and congratulates the Iowa Central Community  
 7 College men's and women's track, women's soccer,  
 8 and men's cross country teams and programs for their  
 9 outstanding achievements in winning National Junior  
 10 College Athletic Association Championships in late 2015  
 11 and early 2016; and  
 12 BE IT FURTHER RESOLVED, That copies of this  
 13 resolution be sent to Iowa Central Community College  
 14 President Dr. Dan Kinney, Track and Field Head Coach  
 15 Denny Myers, Women's Soccer Head Coach Christiane  
 16 Lessa, and Men's Cross Country Head Coach Dee Brown.

**Senate Resolution 112:** filed April 13, 2016; adopted by the  
 Senate on April 20, 2016.

#### SENATE RESOLUTION 112

By Dotzler

1 A resolution commending the results of Taiwan's 2016  
 2 presidential election reaffirming support for  
 3 increasing Taiwan's international profile and  
 4 for strengthening and expanding sister-state ties  
 5 between Iowa and Taiwan.  
 6 WHEREAS, the State of Iowa is proud of the  
 7 sister-state relationship it has enjoyed with  
 8 Taiwan since 1989, marked by strong bilateral trade,  
 9 educational and cultural exchange, and tourism; and  
 10 WHEREAS, Taiwan shares the values of freedom,  
 11 democracy, human rights, rule of law, peace, and  
 12 prosperity with the United States and the State of  
 13 Iowa; and  
 14 WHEREAS, on January 16, 2016, Taiwan held its sixth  
 15 direct presidential election, demonstrating again the  
 16 strength and vitality of its democratic system and  
 17 confirming that Taiwan is a beacon of democracy in the  
 18 Asia-Pacific region and beyond; and  
 19 WHEREAS, Taiwan is seeking to contribute to greater  
 20 regional integration in the Asia-Pacific region and  
 21 promote bilateral investment and trade relations with  
 22 the United States; NOW THEREFORE,  
 23 BE IT RESOLVED BY THE SENATE, That the Senate

24 commends and supports Taiwan's mature and  
 25 vital democracy, its continued pursuit of trade  
 26 liberalization for further integration with the United  
 27 States and other trade partners, and its participation  
 28 in international organizations which impact the health,

Page 2

- 1 safety, and well-being of its people; and
- 2 BE IT FURTHER RESOLVED, That a copy of this
- 3 Resolution be sent to the Taipei Economic and Cultural
- 4 Office in Chicago, Illinois.

**Senate Resolution 115:** filed April 18, 2016; adopted by the  
 Senate on April 27, 2016.

SENATE RESOLUTION 115

By Committee on Rules and Administration

- 1 A resolution in support of the Jewish State of
- 2 Israel and a negotiated settlement resulting in a
- 3 Palestinian State.
- 4 WHEREAS, the State of Iowa and the State of Israel
- 5 have a deep history of friendship and are allies in
- 6 support of each other's interests; and
- 7 WHEREAS, the State of Israel, the only democracy in
- 8 the Middle East, is a genuine friend and strategic ally
- 9 of the United States in the Middle East; and
- 10 WHEREAS, the Iowa Senate recognizes the importance
- 11 of expressing support for the Jewish people and
- 12 the State of Israel's right to exist and right of
- 13 self-defense; and
- 14 WHEREAS, the Iowa Senate recognizes that the
- 15 Palestinian people have the right to live in peace with
- 16 stability and the right of self-determination; and
- 17 WHEREAS, strong cultural, economic, social,
- 18 business, governmental, and educational relationships
- 19 exist between the State of Iowa and the State of Israel
- 20 and between the State of Iowa and the Palestinian
- 21 people; and
- 22 WHEREAS, Iowans of all faiths remain committed
- 23 to a two-state solution, a Jewish homeland, and
- 24 a Palestinian state living side-by-side in peace,
- 25 prosperity, and security as envisioned by the historic
- 26 Oslo Accords; and
- 27 WHEREAS, legitimate concerns regarding future

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- 1 relations between Israelis and Palestinians are best
- 2 addressed through the pursuit and realization of
- 3 a negotiated settlement resulting in a two-state

4 solution; and  
5 WHEREAS, the Iowa Senate recognizes that a two-state  
6 solution is the best way for Israel to achieve  
7 long-term international recognition and security and  
8 for the Palestinian people to achieve their national  
9 aspirations; NOW THEREFORE,  
10 BE IT RESOLVED BY THE SENATE, That the Iowa Senate  
11 recognizes and reaffirms its support of the Jewish  
12 State of Israel as well as its support for a negotiated  
13 settlement resulting in a Palestinian State with the  
14 right of self-determination living in peace next to the  
15 State of Israel; and  
16 BE IT FURTHER RESOLVED, That the Iowa Senate  
17 supports Iowans of all backgrounds and of all faiths  
18 in seeking peace and justice for all people and swift  
19 resolutions to conflicts around the globe.

**Senate Resolution 116:** filed April 18, 2016; adopted by the Senate on April 19, 2016.

#### SENATE RESOLUTION 116

By Committee on Rules and Administration

1 A resolution honoring Senator Dick L. Dearden for his  
2 years of service in the Senate.  
3 WHEREAS, Dick Dearden was born and raised, and  
4 resides with his wife Sharon in Des Moines; and  
5 WHEREAS, Dick Dearden was first elected to the  
6 Senate in 1994 and has served in the Senate for over  
7 two decades representing the northeast part of Des  
8 Moines and Pleasant Hill; and  
9 WHEREAS, over these many years, Senator Dearden  
10 served on a variety of legislative committees,  
11 including the Natural Resources and Environment  
12 (Chair), Business and Labor (Chair), Ethics (Vice  
13 chair), Labor and Business Relations (Vice chair),  
14 Rules and Administration, Human Resources, Local  
15 Government, Appropriations, State Government, and  
16 Transportation standing committees, and the Agriculture  
17 and Natural Resources (Vice chair), Health and Human  
18 Rights, and Transportation, Infrastructure, and  
19 Capitals appropriations subcommittees; and  
20 WHEREAS, Senator Dearden has long been a champion  
21 for the working people and families of Iowa and has  
22 been a leader in efforts to rebuild the middle class  
23 in this state as the co-sponsor of a bill to raise the  
24 minimum wage; and  
25 WHEREAS, Senator Dearden is an avid hunter and  
26 fisher and is a member of the Izaak Walton League,  
27 Pheasants Forever, Ducks Unlimited, and the National  
28 Wild Turkey Federation; and

Page 2

1 WHEREAS, Senator Dearden has been a strong  
 2 and consistent advocate for the development and  
 3 preservation of the natural resources of the state of  
 4 Iowa for over 20 years; and  
 5 WHEREAS, Senator Dearden has worked with diverse  
 6 stakeholders to establish a vision of the future  
 7 for natural resources and outdoor recreation in this  
 8 state; and  
 9 WHEREAS, in retirement Senator Dearden will  
 10 have more time to enjoy hunting on properties with  
 11 improved public access and fishing in high-quality  
 12 streams across the state, many of which he has been  
 13 instrumental in developing and preserving; NOW  
 14 THEREFORE,  
 15 BE IT RESOLVED BY THE SENATE, That the Senate honors  
 16 and thanks Senator Dick L. Dearden for his decades of  
 17 service in the Senate, and wishes him and his family  
 18 all the best in the years to come.

**Senate Resolution 118:** filed April 19, 2016; adopted by the Senate on April 20, 2016.

#### SENATE RESOLUTION 118

By Committee on Rules and Administration

1 A resolution supporting the federal Renewable Fuel  
 2 Standard.  
 3 WHEREAS, in accordance with the federal Energy  
 4 Policy Act of 2005, Pub. L. No. 109-58, as amended  
 5 by the federal Energy Independence and Security Act  
 6 of 2007, Pub. L. No. 110-140, the United States has  
 7 demonstrated its commitment to the long-term policy of  
 8 increasing the domestic production of clean renewable  
 9 fuels according to a renewable fuel standard, referred  
 10 to as the "RFS"; and  
 11 WHEREAS, the RFS is the one of the single most  
 12 successful energy policies in our nation's history; and  
 13 WHEREAS, the RFS is a federal policy that requires a  
 14 minimum percentage of motor fuel sold in our nation to  
 15 contain renewable fuels; and  
 16 WHEREAS, under the RFS, renewable fuels have  
 17 access to a retail market in the face of a vertically  
 18 integrated petroleum market; and  
 19 WHEREAS, the RFS represents a congressional promise  
 20 to American biofuels producers, farmers, communities,  
 21 and investors that the blend levels of the RFS will  
 22 increase each year; and  
 23 WHEREAS, this congressional policy supporting the  
 24 RFS will continue to build the long-term capacity of

25 the renewable fuels industry and will encourage the  
26 development of new types of clean fuels; and  
27 WHEREAS, the RFS helps support over 73,000 jobs

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1 in agriculture, biofuels production, and associated  
2 businesses in Iowa; and  
3 WHEREAS, the renewable fuels industry in Iowa  
4 helps pay \$5 billion in wages annually to this state's  
5 employment force; and  
6 WHEREAS, renewable fuels create additional markets  
7 for Iowa farmers with more than 47 percent of Iowa's  
8 corn supply supporting ethanol production; NOW  
9 THEREFORE,  
10 BE IT RESOLVED BY THE SENATE, That the Iowa  
11 Senate calls upon the Congress of the United  
12 States, the United States Environmental Protection  
13 Agency, the President of the United States, and this  
14 country's future President of the United States and  
15 administration, to continue to support the RFS in  
16 order to encourage American energy production and to  
17 strengthen rural communities; and  
18 BE IT FURTHER RESOLVED, That copies of this  
19 Resolution be sent to the President of the United  
20 States, the Administrator of the United States  
21 Environmental Protection Agency, the President and  
22 Secretary of the United States Senate, the Speaker and  
23 Clerk of the United States House of Representatives,  
24 and to the members of Iowa's congressional delegation.





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