

PROOF

STATE OF IOWA

House Journal

TUESDAY, MARCH 21, 2017

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(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Seventy-second Calendar Day - Forty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 21, 2017

The House met pursuant to adjournment at 8:33 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Matthew Majewski, Center Baptist Church, Lansing. He was the guest of Hager of Allamakee.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sara and Isaac Majewski from Lansing. They were the guests of Hager of Allamakee.

The Journal of Monday, March 20, 2017, was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 20, 2017, passed the following bill in which the concurrence of the Senate was asked:

[House File 289](#), a bill for an act relating to the issuance of driver's licenses, nonoperator's identification cards, and persons with disabilities identification devices by certain counties, and including effective date provisions.

Also: That the Senate has on March 20, 2017, passed the following bill in which the concurrence of the Senate was asked:

[House File 462](#), a bill for an act providing for the confidentiality of certain records provided by gambling licensees to the racing and gaming commission.

Also: That the Senate has on March 20, 2017, passed the following bill in which the concurrence of the House is asked:

[Senate File 465](#), a bill for an act relating to medical malpractice claims, including noneconomic damage awards and expert witnesses.

W. CHARLES SMITHSON, Secretary

INTRODUCTION OF BILLS

[House File 598](#), by Mascher, a bill for an act relating to the establishment of a restrictive behavioral interventions task force.

Read first time and referred to committee on **Education**.

[House File 599](#), by Mascher and Kaufmann, a bill for an act requiring certain new school buses to be equipped with seat belts, requiring the use of such seat belts, and making penalties applicable.

Read first time and referred to committee on **Transportation**.

[House File 600](#), by committee on Government Oversight, 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 and placed on the **calendar**.

[House File 601](#), by committee on Government Oversight, a bill for an act providing for the confidentiality of certain cyber security and critical infrastructure information developed and maintained by a government body.

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

[House File 602](#), by committee on Government Oversight, a bill for an act providing an exemption to an education requirement for certain children's residential facilities, and including effective date provisions.

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

[House File 603](#), by committee on Government Oversight, a bill for an act relating to eminent domain and condemnation, including the authority of acquiring agencies to use eminent domain, the procedures required for the use of eminent domain, and compensation paid to certain property owners and including effective date and applicability provisions.

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

[House File 604](#), by committee on Ways and Means, a bill for an act establishing a motor vehicle insurance verification program, establishing fees, and including penalty and effective date provisions.

Read first time and placed on the **Ways and Means calendar**.

The House stood at ease at 8:40 a.m., until the fall of the gavel.

The House resumed session at 11:20 a.m., Jones of Clay in the chair.

CONSIDERATION OF BILLS
Regular Calendar

[House File 3](#), a bill for an act relating to statute-of-repose periods for improvements to real property and including applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Koester of Polk offered amendment [H-1102](#) filed by the committee on Judiciary.

Koester of Polk offered amendment [H-1175](#), to the committee amendment [H-1102](#), filed by him and moved its adoption.

Amendment [H-1175](#), to the committee amendment [H-1102](#), was adopted.

Koester of Polk moved the adoption of the committee amendment [H-1102](#), as amended.

The committee amendment [H-1102](#), as amended, was adopted.

[SENATE FILE 413](#) SUBSTITUTED FOR [HOUSE FILE 3](#)

Koester of Polk asked and received unanimous consent to substitute [Senate File 413](#) for [House File 3](#).

[Senate File 413](#), a bill for an act relating to statute-of-repose periods for improvements to real property and including applicability provisions, was taken up for consideration.

Koester of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 413](#))

The ayes were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Carlin
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Forristall	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Huseman
Jacoby	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Moore	Nunn
Paustian	Rizer	Rogers	Salmon
Sexton	Sheets	Sieck	Taylor, R.
Upmeyer, Spkr.	Vander Linden	Watts	Wheeler
Wills	Windschitl	Worthan	Zumbach
Jones, Presiding			

The nays were, 39:

Abdul-Samad	Bearinger	Bennett	Breckenridge
Brown-Powers	Cohoon	Finkenauer	Forbes
Gaines	Gaskill	Hall	Hanson
Heddens	Hunter	Isenhardt	Kacena
Kearns	Kurth	Lensing	Mascher
McConkey	Meyer	Mommsen	Nielsen
Oldson	Olson	Ourth	Pettengill
Prichard	Running-Marquardt	Smith, M.	Smith, R.
Staed	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 4:

Anderson	Holz	Kressig	Miller
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[House File 524](#), a bill for an act relating to controlled substances, including reporting under the drug prescribing and dispensing information program and making penalties applicable, was taken up for consideration.

Klein of Washington offered amendment [H-1220](#) filed by him and moved its adoption.

Amendment [H-1220](#) was adopted.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 524](#))

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Breckenridge
Brown-Powers	Carlin	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gasskill	Gassman	Grassley
Gustafson	Hagenow	Hager	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Hunter	Huseman	Isenhardt
Jacoby	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Windschitl
Wolfe	Worthan	Zumbach	Jones, Presiding

The nays were, none.

Absent or not voting, 4:

Holz	Kressig	Miller	Prichard
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[House File 572](#), a bill for an act relating to employment services programs administered by the department of workforce development by modifying the membership requirements and duties of the Iowa workforce development board and authorizing the department to carry out unemployment insurance systems modernization, making appropriations, and including effective date provisions, was taken up for consideration.

Bloomington of Worth moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 572](#))

The ayes were, 88:

Bacon	Baltimore	Baudler	Baxter
Bearinger	Bennett	Bergan	Best
Bloomington	Breckenridge	Brown-Powers	Carlin
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Forristall	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Huseman
Isenhardt	Jacoby	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Mohr	Mommsen	Moore	Nielsen
Nunn	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Staed	Taylor, R.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Windschitl	Worthan	Zumbach	Jones, Presiding

The nays were, 9:

Abdul-Samad	Anderson	Hunter	Meyer
Oldson	Running-Marquardt	Steckman	Taylor, T.
Wolfe			

Absent or not voting, 3:

Holz Kressig Miller

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[House File 576](#), a bill for an act relating to background investigations of individuals employed through temporary staffing agencies with certain health care providers, was taken up for consideration.

R. Taylor of Dallas offered amendment [H-1199](#) filed by him and moved its adoption.

Amendment [H-1199](#) was adopted.

R. Taylor of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 576](#))

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Breckenridge
Brown-Powers	Carlin	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hager	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Hunter	Huseman	Isenhart
Jacoby	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts

Wessel-Kroeschell	Wheeler	Wills	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Jones,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Holz	Kressig	Miller
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House File 89, a bill for an act authorizing a retirement system merger relating to an alternative retirement system for certain school district employees, with report of committee recommending passage, was taken up for consideration.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 89](#))

The ayes were, 96:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Breckenridge
Brown-Powers	Carlin	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hager	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Hunter	Huseman	Isenhart
Jacoby	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede

Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Windschitl
Wolfe	Worthan	Zumbach	Jones, Presiding

The nays were, 1:

Sheets

Absent or not voting, 3:

Holz	Kressig	Miller
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Holz of Plymouth	Kressig of Black Hawk
Miller of Webster	

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 3 and 43 from further consideration by the House.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 89, 524, 572, 576** and [Senate File 413](#).

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 21, 2017, passed the following bill in which the concurrence of the Senate was asked:

[House File 445](#), a bill for an act relating to public utilities and other infrastructure, including the confidentiality of certain information relating to cyber security or critical infrastructure, the authority of utilities to make temporary rate changes, and presiding

officers at public information meetings held for electric transmission line franchise petitions.

Also: That the Senate has on March 21, 2017, passed the following bill in which the concurrence of the Senate was asked:

[House File 544](#), a bill for an act including personal degradation as a form of dependent adult abuse by caretakers in facilities and programs regulated by the department of inspections and appeals, and including effective date provisions.

Also: That the Senate has on March 21, 2017, passed the following bill in which the concurrence of the Senate was asked:

[House File 577](#), a bill for an act relating to exemptions from disciplinary action for persons licensed to practice health-related professions based on their treatment of Lyme disease or other tick-borne diseases, and including effective date provisions.

Also: That the Senate has on March 21, 2017, adopted the following resolution in which the concurrence of the House is asked:

[Senate Concurrent Resolution 5](#), a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-seventh General Assembly.

Also: That the Senate has on March 21, 2017, passed the following bill in which the concurrence of the House is asked:

[Senate File 406](#), a bill for an act exempting motor vehicles carrying an implement of husbandry from certain permit requirements.

Also: That the Senate has on March 21, 2017, passed the following bill in which the concurrence of the House is asked:

[Senate File 433](#), a bill for an act relating to termination of parental rights and adoption proceedings, and providing penalties.

Also: That the Senate has on March 21, 2017, passed the following bill in which the concurrence of the House is asked:

[Senate File 434](#), a bill for an act relating to the sealing of certain criminal offenders' juvenile delinquency records.

Also: That the Senate has on March 21, 2017, passed the following bill in which the concurrence of the House is asked:

[Senate File 448](#), a bill for an act relating to insurers in possession of salvage motor vehicles.

Also: That the Senate has on March 21, 2017, passed the following bill in which the concurrence of the House is asked:

[Senate File 449](#), a bill for an act relating to the installation of cattle guards by landowners along certain streets or highways, and including effective date provisions.

Also: That the Senate has on March 21, 2017, passed the following bill in which the concurrence of the House is asked:

[Senate File 468](#), a bill for an act relating to the definition of stalking and making penalties applicable.

W. CHARLES SMITHSON, Secretary

On motion by Hagenow of Polk, the House was recessed at 12:17 p.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:03 p.m., Jones of Clay in the chair.

INTRODUCTION OF BILLS

[House File 605](#), by Breckenridge, a bill for an act relating to consideration of an emergency medical services medical director as a state employee under the volunteer health care provider program.

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

[House File 606](#), by Dolecheck, a bill for an act providing for the imposition by a county of a local option use tax.

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

[House File 607](#), by committee on Ways and Means, 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 and placed on the **Ways and Means calendar**.

[House File 608](#), by committee on Ways and Means, a bill for an act relating to the technical administration of the tax laws by the department of revenue, including administration of the research activities credit, income taxes, and the flood mitigation program, and including effective date and retroactive applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

SENATE MESSAGES CONSIDERED

[Senate File 406](#), by committee on Transportation, a bill for an act exempting motor vehicles carrying an implement of husbandry from certain permit requirements.

Read first time and referred to committee on **Transportation**.

[Senate File 433](#), by committee on Judiciary, a bill for an act relating to termination of parental rights and adoption proceedings, and providing penalties.

Read first time and referred to committee on **Judiciary**.

[Senate File 434](#), by committee on Judiciary, a bill for an act relating to the sealing of certain criminal offenders' juvenile delinquency records.

Read first time and referred to committee on **Judiciary**.

[Senate File 448](#), by committee on Transportation, a bill for an act relating to insurers in possession of salvage motor vehicles.

Read first time and **passed on file**.

[Senate File 449](#), by committee on Transportation, a bill for an act relating to the installation of cattle guards by landowners along certain streets or highways, and including effective date provisions.

Read first time and referred to committee on **Transportation**.

[Senate File 465](#), by committee on Judiciary, a bill for an act relating to medical malpractice claims, including noneconomic damage awards and expert witnesses.

Read first time and **passed on file**.

[Senate File 468](#), by committee on Judiciary, a bill for an act relating to the definition of stalking and making penalties applicable.

Read first time and referred to committee on **Judiciary**.

[SENATE FILE 433](#) REFERRED

The Speaker announced that [Senate File 433](#), previously referred to committee on **Judiciary** was **passed on file**.

EXPLANATIONS OF VOTE

On March 21, 2017, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

[Senate File 413](#) – “nay”

Anderson of Polk

On March 21, 2017, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

[House File 524](#) – “aye”

Prichard of Floyd

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 21st day of March, 2017: House Files 203, 303 and 372.

CARMINE BOAL
Chief Clerk of the House

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 189](#) **Ways and Means**

Requiring the licensure of flexible credit lenders, and providing criminal and civil penalties.

[H.S.B. 190](#) Ways and Means

Providing for the establishment of first-time homebuyer savings accounts in Iowa, including related individual income tax exemptions, and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

[House File 252](#)

Ways and Means: Baltimore, Chair; Rizer and Wolfe.

[House File 559](#)

Ways and Means: Mohr, Chair; Cownie and McConkey.

[House File 574](#)

Ways and Means: Sieck, Chair; Prichard and Windschitl.

[Senate File 484](#)

Human Resources: Bacon, Chair; Forbes and Moore.

COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON COMMERCE

[Senate File 1](#), a bill for an act requiring jobs impact statements for administrative rules.

Fiscal Note: **No**

Recommendation: **Do Pass** March 21, 2017.

[Senate File 230](#), a bill for an act concerning payment of insurance premium costs by members and full-time employees of the general assembly and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 21, 2017.

COMMITTEE ON HUMAN RESOURCES

[Senate File 250](#), a bill for an act establishing a notification requirement for mammogram reports to patients, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 21, 2017.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly [House File 42](#)), relating to the property tax exemption for the value added by certain geothermal heating or cooling systems and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 20, 2017.

Committee Bill (Formerly [House File 186](#)), providing for the imposition of the local hotel and motel tax by a land use district.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 20, 2017.

Committee Bill (Formerly [House Study Bill 121](#)), relating to the technical administration of the tax laws by the department of revenue, including administration of the research activities credit, income taxes, and the flood mitigation program, and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 20, 2017.

RESOLUTION FILED

[S.C.R. 5](#), by Dix, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-seventh General Assembly.

Passed on file.

AMENDMENTS FILED

H-1222	H.F. 487	Hinson of Linn
H-1223	H.F. 403	Koester of Polk
H-1224	H.F. 553	Landon of Polk

H-1225	H.F. 541	Landon of Polk
H-1226	H.F. 473	Winckler of Scott

On motion by Hagenow of Polk, the House adjourned at 4:05 p.m., until 8:30 a.m., Wednesday, March 22, 2017.