

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, JANUARY 26, 2017

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JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 26, 2017

The Senate met in regular session at 9:02 a.m., President Whitver 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 Olivia Habinck.

The Journal of Wednesday, January 25, 2017, was approved.

The Senate stood at ease at 9:07 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:25 a.m., President Whitver presiding.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Resolutions 3 and 2.

[Senate Resolution 3](#)

On motion of Senator Dix, [Senate Resolution 3](#), a resolution relating to permanent rules of the senate for the eighty-seventh general assembly, with report of committee recommending passage, was taken up for consideration.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Horn and D. Johnson, until they arrive, on request of Senator Hogg; and Senator Bertrand, until he arrives, on request of Senator Dix.

Senator Hogg offered amendment [S-3004](#), filed by him from the floor to page 7 of the resolution, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3004](#) be adopted?" ([S.R. 3](#)), the vote was:

Yeas, 19:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Kinney	Quirmbach
Bolkcom	Dvorsky	Lykam	Ragan
Boulton	Hart	Mathis	Taylor
Bowman	Hogg	McCoy	

Nays, 28:

Anderson	Dawson	Johnson, C.	Segebart
Behn	Dix	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Absent, 3:

Bertrand	Horn	Johnson, D.
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Amendment [S-3004](#) lost.

Senator Hart offered amendment [S-3005](#), filed by Senators Hart and Hogg from the floor to page 26 of the resolution, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3005](#) be adopted?” ([S.R. 3](#)), the vote was:

Yeas, 19:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Kinney	Quirmbach
Bolkcom	Dvorsky	Lykam	Ragan
Boulton	Hart	Mathis	Taylor
Bowman	Hogg	McCoy	

Nays, 28:

Anderson	Dawson	Johnson, C.	Segebart
Behn	Dix	Kapucian	Shipley
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Absent, 3:

Bertrand	Horn	Johnson, D.
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Amendment [S-3005](#) lost.

Senator Dix moved the adoption of [Senate Resolution 3](#), which motion prevailed by a voice vote.

[Senate Resolution 2](#)

On motion of Senator Behn, [Senate Resolution 2](#), a resolution relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-seventh General Assembly, was taken up for consideration.

Senator Behn moved the adoption of [Senate Resolution 2](#), which motion prevailed by a voice vote.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Concurrent Resolutions 1 and 2.

[Senate Concurrent Resolution 1](#)

On motion of Senator Dix, [Senate Concurrent Resolution 1](#), a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-seventh general assembly, was taken up for consideration.

Senator Dix moved the adoption of [Senate Concurrent Resolution 1](#), which motion prevailed by a voice vote.

[Senate Concurrent Resolution 2](#)

On motion of Senator Behn, [Senate Concurrent Resolution 2](#), a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-seventh General Assembly, was taken up for consideration.

Senator Behn moved the adoption of [Senate Concurrent Resolution 2](#), which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Concurrent Resolutions 1 and 2** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Dix asked and received unanimous consent to take up for consideration [Senate File 130](#).

[Senate File 130](#)

On motion of Senator Schneider, [Senate File 130](#), a bill for an act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2016, and including effective date provisions, was taken up for consideration.

Senator Quirnbach offered amendment [S-3006](#), filed by Senator Quirnbach, et al., from the floor to pages 1 and 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3006](#) be adopted?” ([S.F. 130](#)), the vote was:

Yeas, 19:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Kinney	Quirnbach
Bolkcom	Dvorsky	Lykam	Ragan
Boulton	Hart	Mathis	Taylor
Bowman	Hogg	McCoy	

Nays, 28:

Anderson	Dawson	Johnson, C.	Segebart
Behn	Dix	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Absent, 3:

Bertrand	Horn	Johnson, D.
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Amendment [S-3006](#) lost.

Senator Bolkcom offered amendment [S-3002](#), filed by him on January 25, 2017, to pages 8–10 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3002](#) be adopted?” ([S.F. 130](#)), the vote was:

Yeas, 19:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Kinney	Quirnbach
Bolkcom	Dvorsky	Lykam	Ragan
Boulton	Hart	Mathis	Taylor
Bowman	Hogg	McCoy	

Nays, 28:

Anderson	Dawson	Johnson, C.	Segebart
Behn	Dix	Kapucian	Shipley
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Absent, 3:

Bertrand	Horn	Johnson, D.
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Amendment [S-3002](#) lost.

Senator Bolkom offered amendment [S-3003](#), filed by him on January 25, 2017, to page 11 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3003](#) be adopted?” ([S.F. 130](#)), the vote was:

Yeas, 19:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Kinney	Quirnbach
Bolkom	Dvorsky	Lykam	Ragan
Boulton	Hart	Mathis	Taylor
Bowman	Hogg	McCoy	

Nays, 28:

Anderson	Dawson	Johnson, C.	Segebart
Behn	Dix	Kapucian	Shipley
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Absent, 3:

Bertrand	Horn	Johnson, D.
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Amendment [S-3003](#) lost.

Senator Bolkcom offered amendment [S-3001](#), filed by him on January 25, 2017, to page 11 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3001](#) be adopted?” ([S.F. 130](#)), the vote was:

Yeas, 19:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Kinney	Quirmbach
Bolkcom	Dvorsky	Lykam	Ragan
Boulton	Hart	Mathis	Taylor
Bowman	Hogg	McCoy	

Nays, 28:

Anderson	Dawson	Johnson, C.	Segebart
Behn	Dix	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Absent, 3:

Bertrand	Horn	Johnson, D.
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Amendment [S-3001](#) lost.

Senator Schneider 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. 130](#)), the vote was:

Yeas, 28:

Anderson	Dawson	Johnson, C.	Segebart
Behn	Dix	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Chapman	Garrett	Rozenboom	Whitver
Chelgren	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Nays, 19:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Kinney	Quirmbach
Bolkcom	Dvorsky	Lykam	Ragan
Boulton	Hart	Mathis	Taylor
Bowman	Hogg	McCoy	

Absent, 3:

Bertrand	Horn	Johnson, D.
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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 Dix asked and received unanimous consent that [Senate File 130](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 12:03 p.m. until 9:00 a.m., Friday, January 27, 2017.

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

2016 Annual Report, pursuant to Iowa Code section 312.3B. Report received on January 26, 2017.

CERTIFICATE OF RECOGNITION

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

Andy and JoAnn Gohlinghorst, Council Bluffs—For their many years of service as volunteers at Children's Square U.S.A. Senator Dawson.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, January 25, 2017, 4:05 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, and Rozenboom.

Members Absent: None.

Committee Business: Arts Education presentation.

Adjourned: 5:00 p.m.

HUMAN RESOURCES

Convened: Wednesday, January 25, 2017, 3:10 p.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley.

Members Absent: Chapman (excused).

Committee Business: Presentation on Iowa mental health bed tracking system by Rick Shults from the Department of Human Services.

Adjourned: 4:05 p.m.

ADMINISTRATION AND REGULATION APPROPRIATIONS SUBCOMMITTEE

Convened: Thursday, January 12, 2017, 10:00 a.m.

Members Present: Guth, Chair; Chapman, Vice Chair; Mathis, Ranking Member; Lykam, and Zumbach.

Members Absent: None.

Committee Business: Reviewed the governor's budget recommendations.

Adjourned: 10:30 a.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 4](#), by Bolkcom, Ragan, Petersen, Quirnbach, Boulton, Bowman, Dotzler, Hart, Jochum, and Mathis, a resolution requesting the legislative council to establish an interim committee to study the creation of a facility to care for geriatric persons who are registered on the sex offender registry or who are sexually aggressive.

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

INTRODUCTION OF BILLS

[Senate File 142](#), by Chapman, a bill for an act to exclude equine boarding from the annual lease termination requirements for farm tenancies.

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

[Senate File 143](#), by Chapman, a bill for an act relating to bass fishing in the state.

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

[Senate File 144](#), 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 145](#), by Chapman, a bill for an act eliminating the requirement of an annual permit to acquire a pistol or revolver.

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

[Senate File 146](#), by Chapman, a bill for an act relating to going armed with, carrying, or transporting a firearm on school grounds.

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

[Senate File 147](#), by Chapman, a bill for an act relating to the confidentiality of personally identifiable information of holders of nonprofessional permits to carry weapons and permits to acquire pistols or revolvers.

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

[Senate File 148](#), by Zaun, a bill for an act relating to developer fees for federal low-income housing credits.

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

[Senate File 149](#), by Zaun, a bill for an act relating to the review of administrative rules and the rulemaking process.

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

[Senate File 150](#), by Zaun, a bill for an act relating to 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 151](#), by Zaun, a bill for an act requesting the establishment of an interim study committee by the legislative council regarding prescription pain medication.

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

[Senate File 152](#), by Zaun, a bill for an act providing a property assessment adjustment for certain property of persons who have attained the age of sixty-five, providing a penalty, and including retroactive and other applicability provisions.

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

[Senate File 153](#), by Zaun, a bill for an act creating an exemption from the computation of the state individual income tax of net capital gains from the sale of an equity investment in a qualified Iowa business and including retroactive applicability provisions.

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

[Senate File 154](#), by Taylor, a bill for an act establishing the state percent of growth and including effective date provisions.

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

[Senate File 155](#), by Taylor, a bill for an act establishing the categorical state percent of growth and including effective date provisions.

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

[Senate File 156](#), by Boulton, Taylor, Jochum, Hogg, Quirnbach, Bisignano, D. Johnson, Petersen, and McCoy, a bill for an act increasing the state minimum hourly wage and providing for subsequent increases by the same percentage as the increase in federal social security benefits.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

[Senate File 157](#), by Garrett, a bill for an act relating to the notation of discharges of motor vehicle security interests.

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

STUDY BILLS RECEIVED

[SSB 1024](#) **Rules and Administration**

To approve and confirm the appointment of Kristie Hirschman as Ombudsman.

[SSB 1025](#) **Ways and Means**

Eliminating a requirement that taxpayers indicate on their tax returns the presence or absence of healthcare coverage for their dependent children and apply for certain public healthcare coverage, and including effective date and retroactive applicability provisions.

[SSB 1026](#) **State Government**

Relating to the powers and programs of the economic development authority, including apprentice eligibility under the apprenticeship training program, and including effective date and applicability provisions.

[SSB 1027](#) **Natural Resources and Environment**

Relating to the solid waste environmental management systems program and beautification grants.

SUBCOMMITTEE ASSIGNMENTS

[Senate Joint Resolution 3](#)

STATE GOVERNMENT: Feenstra, Chair; Anderson and Horn

[Senate Joint Resolution 4](#)

NATURAL RESOURCES AND ENVIRONMENT: Breitbach, Chair; Brown and Kinney

[Senate File 109](#)

COMMERCE: Anderson, Chair; Lykam and Zaun

[Senate File 115](#)

HUMAN RESOURCES: Costello, Chair; Bolkcom and Greene

[Senate File 116](#)

HUMAN RESOURCES: Chelgren, Chair; Chapman and Quirmbach

[Senate File 117](#)

HUMAN RESOURCES: Chapman, Chair; Costello and Mathis

[Senate File 118](#)

COMMERCE: Feenstra, Chair; C. Johnson and Mathis

[Senate File 126](#)

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

[Senate File 131](#)

AGRICULTURE: Shipley, Chair; Edler and Kinney

[Senate File 135](#)

EDUCATION: Behn, Chair; Chelgren and Quirmbach

[Senate File 136](#)

EDUCATION: Behn, Chair; Chelgren and Quirmbach

[Senate File 137](#)

EDUCATION: Behn, Chair; Chelgren and Quirmbach

[Senate File 138](#)

EDUCATION: Behn, Chair; Chelgren and Quirmbach

[Senate File 139](#)

JUDICIARY: Schultz, Chair; Kinney and Sinclair

[Senate File 140](#)

HUMAN RESOURCES: Costello, Chair; Garrett and Ragan

[Senate File 141](#)

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Chapman and Dotzler

Senate File 145

JUDICIARY: Shipley, Chair; Petersen and Sinclair

Senate File 146

JUDICIARY: Edler, Chair; Petersen and Schneider

Senate File 147

JUDICIARY: Garrett, Chair; Edler and Petersen

SSB 1024

RULES AND ADMINISTRATION: Dix, Chair; Hogg and Whitver

SSB 1025

WAYS AND MEANS: Feenstra, Chair; Petersen and Schultz

SSB 1026

STATE GOVERNMENT: Smith, Chair; Bisignano and Brown

SSB 1027

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

AMENDMENTS FILED

<u>S-3004</u>	<u>S.R.</u>	<u>3</u>	Robert M. Hogg
<u>S-3005</u>	<u>S.R.</u>	<u>3</u>	Rita Hart
			Robert M. Hogg
<u>S-3006</u>	<u>S.F.</u>	<u>130</u>	Herman C. Quirnbach
			Tony Bisignano
			Rita Hart
			Rich Taylor
			Robert E. Dvorsky
			Jim Lykam