

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, FEBRUARY 1, 2017

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JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 1, 2017

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

Prayer was offered by the Honorable Mark Chelgren, member of the Senate from Wapello County, Ottumwa, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Thomas Anderson.

The Journal of Tuesday, January 31, 2017, was approved.

RECESS

On motion of Senator Dix, the Senate recessed at 9:11 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:17 a.m., President Whitver presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 5](#), a resolution honoring Theresa Kehoe for her dedicated service to the Senate and the General Assembly.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Dix, Whitver, Hogg, Behn, Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration [Senate Resolution 5](#).

[Senate Resolution 5](#)

On motion of Senator Dvorsky, [Senate Resolution 5](#), a resolution honoring Theresa Kehoe for her dedicated service to the Senate and the General Assembly, with report of committee recommending passage, was taken up for consideration.

Senator Dvorsky moved the adoption of [Senate Resolution 5](#), which motion prevailed by a voice vote.

RECESS

On motion of Senator Dix, the Senate recessed at 9:40 a.m. until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:04 p.m., President Whitver presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration [Senate File 32](#).

[Senate File 32](#)

On motion of Senator Breitbach, [Senate File 32](#), a bill for an act relating to private sector employee drug testing, with report of committee recommending passage, was taken up for consideration.

([Senate File 32](#) was deferred.)

The Senate stood at ease at 1:07 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 1:47 p.m., President Whitver presiding.

The Senate resumed consideration of [Senate File 32](#), previously deferred.

Senator Dotzler offered amendment [S-3007](#), filed by him from the floor to pages 1–2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3007](#) be adopted?” ([S.F. 32](#)), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Anderson	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shiple
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

Amendment [S-3007](#) was adopted.

Senator Dotzler offered amendment [S-3009](#), filed by him from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3009](#) be adopted?” ([S.F. 32](#)), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Anderson	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipleigh
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

Amendment [S-3009](#) was adopted.

Senator Breitbach 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. 32](#)), the vote was:

Yeas, 35:

Allen	Costello	Johnson, C.	Schultz
Anderson	Dawson	Kapucian	Segebart
Behn	Dix	Kinney	Shipleigh
Bertrand	Edler	Kraayenbrink	Sinclair
Bowman	Feenstra	Lofgren	Smith
Breitbach	Garrett	Mathis	Whitver
Brown	Greene	Ragan	Zaun
Chapman	Guth	Rozenboom	Zumbach
Chelgren	Hart	Schneider	

Nays, 15:

Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Johnson, D.	Quirnbach
Boulton	Hogg	Lykam	Taylor
Danielson	Horn	McCoy	

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 Dix asked and received unanimous consent that [Senate File 32](#) be **immediately messaged** to the House.

Senator Hogg asked that [Senate File 2](#) be referred from the Regular Calendar to the committee on Appropriations.

The Chair stated he would take the request under advisement and provide his ruling prior to adjournment.

RECESS

On motion of Senator Dix, the Senate recessed at 2:30 p.m. until the completion of a meeting of the committee on Education.

APPENDIX—1

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

Contract Compliance Report, pursuant to Iowa Code section 19B.7. Report received on February 1, 2017.

DEPARTMENT OF EDUCATION

Annual Report for Iowa Association of School Boards, pursuant to Iowa Code section 279.38. Report received on February 1, 2017.

SAVE/SILO Report, pursuant to Iowa Code section 256.9. Report received on February 1, 2017.

DEPARTMENT OF PUBLIC HEALTH

Tobacco Use Prevention and Control Report, pursuant to Iowa Code section 142A.4. Report received on February 1, 2017.

CERTIFICATES OF RECOGNITION

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

Tim Hadley, Packwood—For exemplary leadership. Senator Chelgren.

Jackson Johnston, Packwood—For exemplary leadership. Senator Chelgren.

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: Wednesday, February 1, 2017, 9:10 a.m.

Members Present: Dix, Chair; Whitver, Vice Chair; Hogg, Ranking Member; Behn, Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith.

Members Absent: None.

Committee Business: Approved [SR 5](#).

Adjourned: 9:15 a.m.

AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS
SUBCOMMITTEE

Convened: Wednesday, February 1, 2017, 10:10 a.m.

Members Present: Shipley, Chair; Brown, Vice Chair; Hart, Ranking Member; Kinney, and Rozenboom.

Members Absent: None.

Committee Business: Presentations by Dr. Lisa Nolan, Dean of the ISU College of Veterinary Medicine; Dr. Pat Halbur, Professor and Chair of Veterinary Diagnostic and Production Animal Medicine Department and Executive Director of the Veterinary Diagnostic Lab; and Dr. Rodger Main, Professor and Director of the Veterinary Diagnostic Lab.

Adjourned: 11:00 a.m.

HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE

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

Members Present: Costello, Chair; Segebart, Vice Chair; Ragan, Ranking Member; Bolkcom, and Edler.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:20 a.m.

ALSO:

Convened: Wednesday, February 1, 2017, 10:15 a.m.

Members Present: Costello, Chair; Segebart, Vice Chair; Ragan, Ranking Member; Bolkcom, and Edler.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:20 a.m.

JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE

Convened: Wednesday, February 1, 2017, 10:00 a.m.

Members Present: Chelgren, Chair; Dawson, Vice Chair; Dvorsky, Ranking Member; Boulton, and Garrett.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:10 a.m.

INTRODUCTION OF BILLS

[Senate File 174](#), by Segebart, Guth, Lofgren, Rozenboom, Garrett, C. Johnson, Greene, Breitbach, Schultz, Shipley, Sinclair, and Schneider, a bill for an act authorizing Carroll and Clay counties to issue driver's licenses, nonoperator identification cards, and persons with disabilities identification devices.

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

[Senate File 175](#), by Bowman, a bill for an act relating to school district transportation assistance aid, making appropriations, and including effective date and applicability provisions.

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

STUDY BILLS RECEIVED

[SSB 1035](#) **Ways and Means**

Relating to the workforce housing tax incentives program by increasing the maximum dollar amount that may be allocated to the program, by requiring allocation to certain housing projects, and by increasing the percentage of investment for tax incentives for certain housing projects.

SSB 1036 Transportation

Relating to the enforcement of motor vehicle laws and the regulation of commercial motor vehicles and certain operators by the department of transportation, and including effective date provisions.

SSB 1037 Transportation

Relating to turns against red lights made by vehicular traffic.

SSB 1038 Transportation

Relating to the transfer of moneys collected by the department of administrative services for furnishing certified abstracts of drivers' operating records.

SSB 1039 Transportation

Requiring the removal of motor vehicles involved in certain accidents from the roadway, and providing a penalty.

SSB 1040 Commerce

Relating to provisions applicable to life insurance companies and associations, and credit for reinsurance, and including retroactive applicability provisions.

SSB 1041 Commerce

Eliminating filing fees for requests for independent review of certain determinations under long-term care insurance policies.

SSB 1042 Commerce

Relating to notifications made by the commissioner of insurance of the potential need for a receivership for certain preneed sellers and cemeteries.

SSB 1043 **Commerce**

Requiring certain health insurance policies, contracts, or plans to provide coverage of applied behavior analysis for treatment of autism spectrum disorder for certain individuals, and including applicability and effective date provisions.

SSB 1044 **Commerce**

Authorizing certain gas and electric utilities to submit certain federally required forms or reports to the Iowa utilities board in lieu of existing reporting requirements.

SSB 1045 **Commerce**

Relating to public utilities and other infrastructure, including the confidentiality of certain information relating to such infrastructure, the authority of utilities to make temporary rate changes, and presiding officers at public information meetings held for electric transmission line franchise petitions.

SSB 1046 **Commerce**

Relating to insurance coverage for dental care services.

SSB 1047 **Education**

Relating to computer science education by providing for education standards by the state board of education, for instructor endorsements and authorizations issued by the board of educational examiners, for establishment of a computer science professional development incentive fund, and for the establishment of a computer science education work group.

SSB 1048 **Judiciary**

Relating to mediation of certain farm disputes prior to the initiation of litigation.

SSB 1049 **Judiciary**

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

SSB 1050 **Judiciary**

Relating to salaries and apportionment of judicial officers and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 132**

LOCAL GOVERNMENT: Guth, Chair; Allen and Greene

Senate File 143

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Brown and D. Johnson

Senate File 163

LOCAL GOVERNMENT: Garrett, Chair; Guth and McCoy

Senate File 164

LOCAL GOVERNMENT: Guth, Chair; Allen and Greene

SSB 1035

WAYS AND MEANS: Feenstra, Chair; Brown and Dotzler

SSB 1036

TRANSPORTATION: Breitbach, Chair; Danielson and Kraayenbrink

SSB 1037

TRANSPORTATION: Anderson, Chair; Horn and Zumbach

SSB 1038

TRANSPORTATION: Smith, Chair; Greene and Lykam

[SSB 1039](#)

TRANSPORTATION: Bertrand, Chair; Bisignano and Breitbach

[SSB 1040](#)

COMMERCE: Guth, Chair; C. Johnson and Lykam

[SSB 1041](#)

COMMERCE: Guth, Chair; C. Johnson and Petersen

[SSB 1042](#)

COMMERCE: Guth, Chair; C. Johnson and Lykam

[SSB 1043](#)

COMMERCE: Anderson, Chair; Mathis and Zaun

[SSB 1044](#)

COMMERCE: Sinclair, Chair; C. Johnson and McCoy

[SSB 1045](#)

COMMERCE: Zumbach, Chair; C. Johnson and McCoy

[SSB 1046](#)

COMMERCE: Sinclair, Chair; Boulton and C. Johnson

[SSB 1047](#)

EDUCATION: Chelgren, Chair; Hart and Kraayenbrink

[SSB 1048](#)

JUDICIARY: Garrett, Chair; Kinney and Sinclair

[SSB 1049](#)

JUDICIARY: Garrett, Chair; Bisignano and Sinclair

[SSB 1050](#)

JUDICIARY: Garrett, Chair; Boulton and Sinclair

RECONVENED

The Senate reconvened at 5:04 p.m., President Whitver presiding.

The Chair ruled that [Senate File 2](#) does not carry an appropriation or involve the expenditure of state funds as required under Senate Rule 38 to be considered an appropriations bill. Therefore, [Senate File 2](#) will not be referred to Appropriations.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 5:05 p.m. until 9:00 a.m., Thursday, February 2, 2017.

APPENDIX—2

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, February 1, 2017, 4:00 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: Deborah Reed with the Iowa Reading Research Center and Department of Education personnel gave a presentation on the summer reading program and early childhood literacy.

Adjourned: 5:00 p.m.

STATE GOVERNMENT

Convened: Wednesday, February 1, 2017, 2:35 p.m.

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

Members Absent: Bowman and Dawson (both excused).

Committee Business: Passed [SSB 1026](#).

Adjourned: 2:45 p.m.

TRANSPORTATION

Convened: Wednesday, February 1, 2017, 3:00 p.m.

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

Members Absent: None.

Committee Business: Passed SSBs 1003 and 1019.

Adjourned: 4:00 p.m.

**ADMINISTRATION AND REGULATION APPROPRIATIONS
SUBCOMMITTEE**

Convened: Wednesday, February 1, 2017, 10:05 a.m.

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

Members Absent: Chapman, Vice Chair (excused).

Committee Business: Presentation by Jennifer and Christin in LSA regarding the governor's budget as it pertains to those agencies under the oversight of the committee.

Adjourned: 11:40 a.m.

INTRODUCTION OF BILLS

[Senate File 176](#), by committee on Commerce, a bill for an act relating to programs and projects administered by the economic development authority.

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

[Senate File 177](#), by committee on Commerce, a bill for an act providing for the deferral of unpaid installments and deferral charges for certain interest-bearing consumer credit transactions.

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

STUDY BILL RECEIVED

SSB 1051 State Government

Relating to the possession, sale, transfer, purchase, and use of fireworks, providing penalties, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 113

COMMERCE: Bertrand, Chair; Breitbach and Petersen

Senate File 133

COMMERCE: Anderson, Chair; Breitbach and Mathis

Senate File 134

COMMERCE: Zumbach, Chair; Bertrand and Boulton

Senate File 171

JUDICIARY: Garrett, Chair; Edler and Kinney

Senate File 173

JUDICIARY: Garrett, Chair; Bisignano and Edler

SSB 1051

STATE GOVERNMENT: Chapman, Chair; Bisignano and Schultz

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: *[SENATE FILE 176 \(SSB 1015\)](#), a bill for an act relating to programs and projects administered by the economic development authority.

Recommendation: APPROVED COMMITTEE BILL.

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

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

ALSO:

Bill Title: *[SENATE FILE 177 \(SSB 1016\)](#), a bill for an act providing for the deferral of unpaid installments and deferral charges for certain interest-bearing consumer credit transactions.

Recommendation: APPROVED COMMITTEE BILL.

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

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

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 1, 2017, the Governor approved and transmitted to the Secretary of State the following bill:

[Senate File 130](#) – 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.

AMENDMENTS FILED

S-3007	S.F. 32	William A. Dotzler, Jr.
S-3008	S.F. 1	Bill Anderson
S-3009	S.F. 32	William A. Dotzler, Jr.