

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, FEBRUARY 2, 2017

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JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 2, 2017

The Senate met in regular session at 9:04 a.m., President Whitver presiding.

Prayer was offered by Reverend Mara Bailey, chaplain of Simpson College in Indianola, Iowa. She was the guest of Senator Boulton.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brianna Goebel.

The Journal of Wednesday, February 1, 2017, was approved.

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 11:16 a.m., President Whitver presiding.

CONSIDERATION OF BILL (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration [Senate File 2](#).

[Senate File 2](#)

On motion of Senator Sinclair, [Senate File 2](#), a bill for an act relating to the establishment of a state family planning services program, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair offered amendment [S-3010](#), filed by her from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-3010](#) was adopted by a voice vote.

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. 2](#)), the vote was:

Yeas, 30:

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

Nays, 20:

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

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 2](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Dix, the Senate recessed at 1:37 p.m. until 3:00 p.m.

RECONVENED

The Senate reconvened at 3:09 p.m., President Whitver presiding.

INTRODUCTION OF RESOLUTION

[Senate Resolution 6](#), by committee on Rules and Administration, a resolution amending the permanent rules of the senate for the eighty-seventh general assembly relating to formal requests for the drafting of bills.

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

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 6](#), a resolution amending the permanent rules of the senate for the eighty-seventh general assembly relating to formal requests for the drafting of bills.

Recommendation: APPROVED COMMITTEE BILL.

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 6](#).

[Senate Resolution 6](#)

On motion of Senator Dix, [Senate Resolution 6](#), a resolution amending the permanent rules of the senate for the eighty-seventh general assembly relating to formal requests for the drafting of bills, with report of committee recommending passage, was taken up for consideration.

Senator Dix moved the adoption of [Senate Resolution 6](#), which motion prevailed by a voice vote.

SPECIAL GUEST

President Whitver introduced to the Senate chamber the Honorable Merlin Bartz, former member of the Senate from Worth County, Grafton, Iowa.

The Senate rose and expressed its welcome.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration [Senate File 166](#).

[Senate File 166](#)

On motion of Senator Sinclair, [Senate File 166](#), a bill for an act relating to the state school foundation program, by modifying requirements for the enactment of the state percents of growth, establishing state percents of growth, modifying provisions relating to school district property tax replacement payments, and including effective date and applicability provisions, was taken up for consideration.

Senator Quirmbach offered amendment [S-3013](#), filed by him from the floor to pages 1 and 3 of the bill.

Senator Sinclair raised the point of order that amendment [S-3013](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3013](#) out of order.

([Senate File 166](#) was deferred.)

The Senate stood at ease at 3:21 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:57 p.m., President Whitver presiding.

The Senate resumed consideration of [Senate File 166](#), previously deferred.

Senator Quirnbach withdrew amendment [S-3014](#), filed by him from the floor to pages 1 and 3 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Greene, until he returns, on request of Senator Dix.

Senator Quirnbach offered amendment [S-3015](#), 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-3015](#) be adopted?" ([S.F. 166](#)), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirnbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 28:

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

Absent, 1:

Greene

Amendment [S-3015](#) lost.

Senator Quirnbach offered amendment [S-3011](#), 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-3011](#) be adopted?” ([S.F. 166](#)), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirnbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 28:

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

Absent, 1:

Greene

Amendment [S-3011](#) lost.

Senator Quirnbach offered amendment [S-3012](#), filed by him from the floor to page 2 and amending the title page of the bill.

Senator Sinclair raised the point of order that amendment [S-3012](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3012](#) out of order.

Senator Quirnbach offered amendment [S-3016](#), 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-3016](#) be adopted?" ([S.F. 166](#)), the vote was:

Yeas, 21:

Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Nays, 28:

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

Absent, 1:

Greene

Amendment [S-3016](#) lost.

Senator Quirmbach offered amendment [S-3017](#), 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-3017](#) be adopted?" ([S.F. 166](#)), the vote was:

Yeas, 20:

Allen	Dotzler	Jochum	McCoy
Bolkcom	Dvorsky	Johnson, D.	Petersen
Boulton	Hart	Kinney	Quirmbach
Bowman	Hogg	Lykam	Ragan
Danielson	Horn	Mathis	Taylor

Nays, 29:

Anderson	Costello	Kapucian	Sinclair
Behn	Dawson	Kraayenbrink	Smith
Bertrand	Dix	Lofgren	Whitver

Bisignano	Edler	Rozenboom	Zaun
Breitbach	Feenstra	Schneider	Zumbach
Brown	Garrett	Schultz	
Chapman	Guth	Segebart	
Chelgren	Johnson, C.	Shipley	

Absent, 1:

Greene

Amendment [S-3017](#) lost.

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. 166](#)), the vote was:

Yeas, 28:

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

Nays, 21:

Allen	Dotzler	Johnson, D.	Quirnbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
Bowman	Horn	McCoy	
Danielson	Jochum	Petersen	

Absent, 1:

Greene

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 166](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 7:06 p.m. until 9:30 a.m., Friday, February 3, 2017.

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 HUMAN RIGHTS

Iowa Collaboration for Youth Development Council Annual Report, pursuant to Iowa Code section 216A.140. Report received on February 2, 2017.

SECRETARY OF STATE

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on February 2, 2017.

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on February 2, 2017.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Thursday, February 2, 2017, 1:40 p.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 6](#).

Adjourned: 1:45 p.m.

INTRODUCTION OF BILLS

[Senate File 178](#), by Zaun, a bill for an act relating to the operations and governance of certain common interest communities.

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

[Senate File 179](#), by 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 180](#), by committee on State Government, a bill for an act 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.

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

[Senate File 181](#), by Petersen, a bill for an act requiring the payment of certain out-of-state education expenses for students requiring medical treatment and including effective date provisions.

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

[Senate File 182](#), by Petersen, a bill for an act relating to limitations of criminal actions by extending the limitation period of time for fraud or breach of fiduciary obligation, and expanding the periods of time excluded from the limitation due to concealment and lack of evidence to prosecute.

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

[Senate File 183](#), 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 184](#), by committee on Transportation, a bill for an act authorizing the use of primary road fund moneys for the secondary road and municipal street systems.

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

[Senate File 185](#), by Mathis, Ragan, Hogg, Quirnbach, Boulton, Bisignano, Taylor, Dvorsky, Dotzler, and Jochum, a bill for an act establishing a state employee retirement incentive program and including effective date provisions.

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

[Senate File 186](#), by Danielson, a bill for an act relating to limitations on the timing of public school district bond elections and including effective date provisions.

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

[Senate File 187](#), by Danielson, a bill for an act authorizing the use of school district cash reserve funds for initial year preschool program funding and including effective date and applicability date provisions.

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

[Senate File 188](#), by Edler, a bill for an act relating to the possession of pistols and revolvers by persons under fourteen years of age.

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

[Senate File 189](#), by Ragan, a bill for an act relating to termination of parental rights proceedings based upon safety or security concerns.

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

[Senate File 190](#), by Zaun, 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 under Rule 28 and referred to committee on **Judiciary**.

[Senate File 191](#), by Zaun, a bill for an act exempting from the individual income tax the wages of individuals who provide services to disabled individuals and including effective date and applicability provisions.

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

[Senate File 192](#), by Segebart, a bill for an act relating to licenses to practice applied behavior analysis and including effective date and implementation provisions.

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

[Senate File 193](#), by Danielson, a bill for an act including public safety telecommunicators in the protection occupation category of the Iowa public employees' retirement system.

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

[Senate File 194](#), by Danielson, a bill for an act relating to the appearance of motor vehicles, including the use of tinted windshields and windows and the issuance and display of one registration plate.

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

[Senate File 195](#), by Danielson, a bill for an act providing for appropriations to the statewide fire and police retirement system and including effective date provisions.

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

STUDY BILLS RECEIVED

[SSB 1052](#) **Ways and Means**

Relating to certain fees collected by the county sheriff.

SSB 1053 **Ways and Means**

Relating to registration fees for motor vehicles transferred to nonprofit entities for donation to individuals.

SSB 1054 **Ways and Means**

Relating to the property assessment appeal board by striking the future repeal of provisions relating to the board, modifying procedures and requirements for appeals to the board, and including applicability provisions.

SSB 1055 **Ways and Means**

Relating to the property tax exemption for the value added by certain geothermal heating or cooling systems and including applicability provisions.

SSB 1056 **State Government**

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

SUBCOMMITTEE ASSIGNMENTS**Senate File 179**

WAYS AND MEANS: Feenstra, Chair; Edler and Jochum

SSB 1051
(Reassigned)

STATE GOVERNMENT: Chapman, Chair; Petersen and Schultz

SSB 1052

WAYS AND MEANS: Schultz, Chair; Dawson and Quirmbach

SSB 1053

WAYS AND MEANS: Feenstra, Chair; Dawson and McCoy

SSB 1054

WAYS AND MEANS: Feenstra, Chair; Bolcom and Dawson

[SSB 1055](#)

WAYS AND MEANS: Feenstra, Chair; Anderson and Petersen

[SSB 1056](#)

STATE GOVERNMENT: Smith, Chair; Danielson and Feenstra

FINAL COMMITTEE REPORTS OF BILL ACTION

STATE GOVERNMENT

Bill Title: [SENATE FILE 180 \(SSB 1026\)](#), a bill for an act 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Smith, Chapman, Bisignano, Anderson, Brown, Danielson, Feenstra, Horn, Jochum, Petersen, Schneider, Schultz, and Zaun. Nays, none. Absent, 2: Bowman and Dawson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: [SENATE FILE 184 \(SSB 1003\)](#), a bill for an act authorizing the use of primary road fund moneys for the secondary road and municipal street systems.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Kapucian, Breitbach, Anderson, Bertrand, Greene, Kraayenbrink, Smith, and Zumbach. Nays, 5: Bowman, Bisignano, Danielson, Horn, and Lykam. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

<u>S-3010</u>	<u>S.F. 2</u>	Amy Sinclair
<u>S-3011</u>	<u>S.F. 166</u>	Herman C. Quirnbach
<u>S-3012</u>	<u>S.F. 166</u>	Herman C. Quirnbach
<u>S-3013</u>	<u>S.F. 166</u>	Herman C. Quirnbach
<u>S-3014</u>	<u>S.F. 166</u>	Herman C. Quirnbach
<u>S-3015</u>	<u>S.F. 166</u>	Herman C. Quirnbach
<u>S-3016</u>	<u>S.F. 166</u>	Herman C. Quirnbach
<u>S-3017</u>	<u>S.F. 166</u>	Herman C. Quirnbach