

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 14, 2017

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JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 14, 2017

The Senate met in regular session at 9:01 a.m., President Whitver presiding.

Prayer was sung by Margaret Guth, wife and secretary of the Honorable Dennis Guth, member of the Senate.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jordyn Sanders.

The Journal of Monday, February 13, 2017, was approved.

BILL REFERRED TO COMMITTEE

President Whitver announced that [Senate File 236](#) was referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38.

RECESS

On motion of Senator Dix, the Senate recessed at 9:05 a.m. until 3:00 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:

IOWA RACING AND GAMING COMMISSION

2016 Annual Report, pursuant to Iowa Code section 99D.21. Report received on February 14, 2017.

CERTIFICATE OF RECOGNITION

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

Molly McCunn, Long Grove—For being named one of the top youth volunteers in Iowa for 2017 in the 22nd Annual Prudential Spirit of Community Awards. Senator Lofgren.

INTRODUCTION OF RESOLUTION

[Senate Resolution 9](#), by Bowman, a resolution recognizing December 10, 2017, as Tim O’Connell Day in Iowa.

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

INTRODUCTION OF BILLS

[Senate File 244](#), by Jochum, a bill for an act concerning absences from work by veterans and members of the military.

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

[Senate File 245](#), by Jochum, 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 referred to committee on **Commerce**.

[Senate File 246](#), by Bowman, a bill for an act relating to the operation of railroad trains by a crew of two or more persons, providing penalties, and including effective date provisions.

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

[Senate File 247](#), by Danielson, a bill for an act relating to an exemption from school district retention and intensive summer reading program requirements for students showing good cause.

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

[Senate File 248](#), by Chelgren, Zaun, Schultz, Sinclair, Rozenboom, and Guth, a bill for an act relating to educational instruction and course content primarily over the internet.

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

STUDY BILL RECEIVED

[SSB 1100](#) **Local Government**

Relating to the disposal or return of certain notices and certificates filed or recorded during certain periods of time.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 216](#)

COMMERCE: Bertrand, Chair; Petersen and Sinclair

[Senate File 221](#)

COMMERCE: Zumbach, Chair; C. Johnson and McCoy

[Senate File 241](#)

JUDICIARY: Dawson, Chair; Kinney and Zaun

[Senate File 242](#)

JUDICIARY: Shipley, Chair; Kinney and Schneider

[Senate File 243](#)

JUDICIARY: Schneider, Chair; Petersen and Shipley

[Senate File 246](#)

TRANSPORTATION: Kraayenbrink, Chair; Bowman and Zumbach

[SSB 1100](#)

LOCAL GOVERNMENT: Lofgren, Chair; Greene and McCoy

AFTERNOON SESSION

The Senate reconvened at 3:07 p.m., President Whitver presiding.

The Senate stood at ease at 3:08 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:55 p.m., President Whitver presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration [Senate File 213](#).

[Senate File 213](#)

On motion of Senator Schultz, [Senate File 213](#), a bill for an act relating to employment matters involving public employees including collective bargaining, educator employment matters, personnel records and settlement agreements, city civil service requirements, and health insurance matters, making penalties applicable, and including effective date, applicability, and transition provisions, with report of committee recommending passage, was taken up for consideration.

Senator Boulton offered amendment [S-3021](#), filed by him from the floor, amending the title page of the bill.

President Pro Tempore Behn took the chair at 7:12 p.m.

President Whitver took the chair at 7:16 p.m.

Senator Boulton moved the adoption of amendment [S-3021](#).

A record roll call was requested.

On the question "Shall amendment [S-3021](#) be adopted?" ([S.F. 213](#)), 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, 29:

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

Absent, none.

Amendment [S-3021](#) lost.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 14, 2017, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 133](#), 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 and referred to committee on **Judiciary**.

[House File 183](#), a bill for an act relating to service of copies of court documents on certain persons relating to the receipt of emergency protective services by a dependent adult.

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

[House File 184](#), a bill for an act relating to information required to be contained in petitions for administration of small estates and including applicability provisions.

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

[House File 195](#), a bill for an act relating to requests for notice of probate proceedings.

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

[House File 234](#), a bill for an act relating to reports filed with the court by mental health advocates for persons with mental health disorders.

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

[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.

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

Senator Dix asked and received unanimous consent that action on [Senate File 213](#) be **deferred**.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 8:35 p.m. until 9:00 a.m., Wednesday, February 15, 2017.

APPENDIX—2

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 VETERANS HOME

Annual Report, pursuant to Iowa Code section 35D.17. Report received on February 14, 2017.

Discharge Report, pursuant to Iowa Code section 35D.15. Report received on February 14, 2017.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Tuesday, February 14, 2017, 2:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair.

Members Absent: None.

Committee Business: Approved SFs 189 and 208; passed [SSB 1011](#).

Adjourned: 2:40 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 14, 2017, 1:00 p.m.

Recessed: 1:05 p.m.

Reconvened: 1:20 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Dvorsky, Ranking Member; Anderson, Behn, Bertrand, Breitbach, Brown, Hart, D. Johnson, Kapucian, Kinney, and Lykam.

Members Absent: None.

Committee Business: Approved SFs 126, 143, and 144; passed [SSB 1027](#).

Adjourned: 1:30 p.m.

ADMINISTRATION AND REGULATION APPROPRIATIONS
SUBCOMMITTEE

Convened: Tuesday, February 14, 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 Secretary of State Paul D. Pate.

Adjourned: 11:00 a.m.

AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS
SUBCOMMITTEE

Convened: Tuesday, February 14, 2017, 10:10 a.m.

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

Members Absent: None.

Committee Business: Presentations about Honey Creek Resort by Todd Coffelt, Parks Bureau Chief; and Sherry Arntzen, Executive Officer of Iowa DNR State Parks Bureau.

Adjourned: 10:40 a.m.

HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE

Convened: Tuesday, February 14, 2017, 10:10 a.m.

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

Members Absent: None.

Committee Business: Presentation on The Dental Wellness Program by Miki Stier of DHS; I-Smile Presentation by Tracy Rodgers with IDPH and RaeAnn Herrick of Lee County Health Department; and presentation on the Fatherhood Initiative by Phil Simmons, Program Director of Urban Mission at Wellmark YMCA who was accompanied by Dave Schwartz and Mike Carver.

Adjourned: 11:25 a.m.

TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS APPROPRIATIONS SUBCOMMITTEE

Convened: Tuesday, February 14, 2017, 10:10 a.m.

Members Present: Bertrand, Chair; Kapucian, Vice Chair; Anderson, and Bowman.

Members Absent: McCoy, Ranking Member (excused).

Committee Business: Organizational meeting.

Adjourned: 11:00 a.m.

INTRODUCTION OF BILLS

[Senate File 249](#), by Quirnbach, Hogg, Dvorsky, and Bolkcom, a bill for an act relating to the prohibitions against smoking under the smokefree air Act and making penalties applicable.

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

[Senate File 250](#), by committee on Human Resources, a bill for an act establishing a notification requirement for mammogram reports to patients.

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

[Senate File 251](#), by committee on Transportation, a bill for an act relating to turns against red lights made by vehicular traffic.

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

[Senate File 252](#), by committee on State Government, a bill for an act concerning state purchasing from prison industries for products manufactured in this state.

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

[Senate File 253](#), by Chapman, Anderson, Chelgren, Edler, Costello, Guth, Bertrand, Feenstra, C. Johnson, Kraayenbrink, Sinclair, Behn, Segebart, Breitbach, Rozenboom, Greene, Lofgren, Schultz, D. Johnson, Smith, and Zaun, a bill for an act relating to the protection of life beginning at conception, and including effective date provisions.

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

STUDY BILLS RECEIVED

[SSB 1101](#) **Judiciary**

Relating to public safety on highways, including the use of electronic communication devices while driving where such use results in death and the establishment of a statewide sobriety and drug monitoring program, and providing penalties.

[SSB 1102](#) **Judiciary**

Relating to the waiting period before the granting of a decree for dissolution of marriage.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 245](#)

COMMERCE: Bertrand, Chair; C. Johnson and Lykam

[Senate File 247](#)

EDUCATION: Sinclair, Chair; Greene and Hart

[Senate File 248](#)

EDUCATION: Sinclair, Chair; Behn and Quirnbach

[SSB 1101](#)

JUDICIARY: Dawson, Chair; Boulton and Garrett

[SSB 1102](#)

JUDICIARY: Garrett, Chair; Bisignano and Shipley

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: [SENATE FILE 250](#) (formerly [SF 77](#)), a bill for an act establishing a notification requirement for mammogram reports to patients.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirnbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *[SENATE FILE 252](#) (formerly [SF 165](#)), a bill for an act concerning state purchasing from prison industries for products manufactured in this state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Smith, Chapman, Bisignano, Anderson, Bowman, Brown, Danielson, Dawson, Feenstra, Horn, Jochum, Petersen, Schneider, Schultz, 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 State Government Committee on [Senate File 252](#), and they were attached to the committee report.

TRANSPORTATION

Bill Title: [SENATE FILE 251 \(SSB 1037\)](#), a bill for an act relating to turns against red lights made by vehicular traffic.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Kapucian, Breitbach, Bowman, Anderson, Bertrand, Bisignano, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, none. Absent, 1: Greene.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3019	S.F. 213	Nate Boulton
S-3020	S.F. 213	Nate Boulton
S-3021	S.F. 213	Nate Boulton
S-3022	S.F. 213	Nate Boulton
S-3023	S.F. 213	William A. Dotzler, Jr.
S-3024	S.F. 213	Tod R. Bowman
S-3025	S.F. 213	Nate Boulton
S-3026	S.F. 213	Jeff Danielson William A. Dotzler, Jr.
S-3027	S.F. 213	Nate Boulton
S-3028	S.F. 213	Jason Schultz
S-3029	S.F. 213	Jeff Danielson Herman C. Quirnbach Joe Bolkcom William A. Dotzler, Jr. Robert E. Dvorsky
S-3030	S.F. 213	Nate Boulton
S-3031	S.F. 213	David Johnson