

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 21, 2017

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JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 21, 2017

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

Prayer was offered by Kenneth Brooks, Field Executive of the Boy Scouts of America in Davenport, Iowa. He was the guest of Senator Lofgren.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Reid Yoder, Webelos Cub Scout from Pack #129 in Bettendorf, Iowa.

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

RECESS

On motion of Senator Dix, the Senate recessed at 9:37 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:47 a.m., President Whitver presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 8](#), a resolution recognizing February 8, 2017, as National Boy Scout Day.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Dix, Whitver, Hogg, Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith. Nays, none. Absent, 1: Behn.

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 8](#).

[Senate Resolution 8](#)

On motion of Senator Lofgren, [Senate Resolution 8](#), a resolution recognizing February 8, 2017, as National Boy Scout Day, with report of committee recommending passage, was taken up for consideration.

Senator Lofgren moved the adoption of [Senate Resolution 8](#), which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Hart introduced to the Senate chamber Kenneth Brooks, Field Executive of the Illowa Council, Boy Scouts of America; and Reid Yoder, Webelos Cub Scout, Pack 129, accompanied by his father and Scout Leader, Ryan Yoder.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:52 a.m. until 9:00 a.m., Wednesday, February 22, 2017.

APPENDIX

COMMITTEE CHANGES

Senator Dix announced the following changes to standing committees:

Natural Resources and Environment: Senator Greene will replace Senator Brown.

Transportation: Senator Brown will replace Senator Greene.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Monday, February 20, 2017, 4:05 p.m.

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

Members Absent: Chapman (excused).

Committee Business: Passed [SSB 1029](#), as amended.

Adjourned: 4:25 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, February 21, 2017, 9:40 a.m.

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

Members Absent: Behn (excused).

Committee Business: Approved SRs 8, 9, and 10.

Adjourned: 9:45 a.m.

AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS
SUBCOMMITTEE

Convened: Tuesday, February 21, 2017, 10:00 a.m.

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

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:30 a.m.

EDUCATION APPROPRIATIONS SUBCOMMITTEE

Convened: Tuesday, February 21, 2017, 10:05 a.m.

Members Present: Kraayenbrink, Chair; C. Johnson, Vice Chair; Danielson, Ranking Member; Quirmbach, and Schultz.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:55 a.m.

HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE

Convened: Tuesday, February 21, 2017, 10:05 a.m.

Members Present: Costello, Chair; Ragan, Ranking Member; Bolkom, and Edler.

Members Absent: Segebart, Vice Chair (excused).

Committee Business: Federal Child Care Rules presentation by Julie Allison of DHS; and presentation on Child Support Recovery Rules by Carol Eaton of DHS.

Adjourned: 11:15 a.m.

JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE

Convened: Tuesday, February 21, 2017, 10:05 a.m.

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

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:25 a.m.

TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS APPROPRIATIONS SUBCOMMITTEE

Convened: Tuesday, February 21, 2017, 10:05 a.m.

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

Members Absent: McCoy, Ranking Member (excused).

Committee Business: Organizational meeting.

Adjourned: 10:35 a.m.

INTRODUCTION OF BILLS

[Senate File 293](#), by D. Johnson, a bill for an act establishing a master matrix evaluation advisory committee, and including effective date provisions.

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

[Senate File 294](#), by Chelgren, a bill for an act requiring video and audio monitoring devices in certain areas of public schools and authorizing the expenditure of moneys received from the secure an advanced vision for education fund for installation and operation of video and audio monitoring devices.

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

[Senate File 295](#), by Boulton and Taylor, a bill for an act relating to the operation of the state mental health institutes.

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

[Senate File 296](#), by committee on Transportation, a bill for an act relating to operating or riding a snowmobile or all-terrain vehicle while carrying a firearm.

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

[Senate File 297](#), by Danielson, a bill for an act relating to railway company liability for accidents involving motor vehicles and trains.

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

[Senate File 298](#), by Danielson, a bill for an act relating to reimbursement under the Medicaid program for ambulance services.

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

[Senate File 299](#), by Danielson, a bill for an act modifying the rural Iowa advanced registered nurse practitioner and physician assistant loan repayment program and fund and making occupational therapy students eligible for the program.

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

[Senate File 300](#), by Danielson, a bill for an act relating to plea bargaining by a prosecuting attorney and a criminal defendant.

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

[Senate File 301](#), by Danielson, a bill for an act relating to employer reimbursements for withholding wages for support payments and garnishment.

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

[Senate File 302](#), by Danielson, a bill for an act relating to the transportation of persons with a substance-related disorder or a mental illness.

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

[Senate File 303](#), by Guth, a bill for an act relating to licensure, regulation, and complaint procedures for the hotel sanitation code and food establishments and food processing plants, and modifying fees and penalties.

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

[Senate File 304](#), by Smith, a bill for an act relating to school district funding by establishing a district cost per pupil equity budget adjustment, modifying limitations on the cash reserves, and including effective date provisions.

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

[Senate File 305](#), by Smith, a bill for an act relating to school district funding by establishing a district cost per pupil equity budget adjustment funded by interest earned on cash reserve funds and including effective date provisions.

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

[Senate File 306](#), by Behn, a bill for an act increasing the penalty for motor vehicles that traverse certain railroad grade crossings against a gate or signal.

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

[Senate File 307](#), by Schneider, a bill for an act relating to rescue vehicles designated as authorized emergency vehicles, and making a penalty applicable.

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

[Senate File 308](#), by Schneider, a bill for an act relating to the criminal offenses of domestic abuse, harassment, stalking, and unauthorized placement of a global positioning device, and providing penalties.

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

[Senate File 309](#), by Schultz, a bill for an act relating to the exclusion from the individual income tax of certain net capital gains from the sale of real property used in a business, and including effective date and retroactive applicability provisions.

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

[Senate File 310](#), by Schultz, a bill for an act allowing certain milk and products using milk to be transferred directly by operators of dairy farms, and making penalties applicable.

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

[Senate File 311](#), by Schultz, a bill for an act relating to permits issued by the department of transportation to allow all-terrain vehicle trails to cross primary highways.

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

STUDY BILLS RECEIVED

[SSB 1133](#) **Human Resources**

Authorizing mental health professionals to perform certain functions relating to persons with substance-related disorders and persons with mental illness.

[SSB 1134](#) **Human Resources**

Relating to prescription drugs, including the drug prescribing and dispensing information program, medication-assisted treatment insurance and Medicaid coverage, partial dispensing for opioid medication, and allocation of moneys to the pharmaceutical collection and disposal program.

[SSB 1135](#) **State Government**

Prohibiting persons from intentionally blocking the movement of traffic on certain highways, and providing penalties.

[SSB 1136](#) **State Government**

Relating to authorized expenditures for preschool programs under the statewide preschool program for four-year-old children and including effective date provisions.

[SSB 1137](#) **Education**

Relating to educational programs developed or administered by the department or state board of education, school districts, or accredited nonpublic schools, and to school-age children's health screenings, providing for or relating to fees, and including effective date provisions.

SSB 1138 Commerce

Relating to the siting of small wireless facilities and the authorization of joint financing of telecommunications facilities.

SSB 1139 Transportation

Relating to record retention and reporting by licensed vehicle recyclers, demolishers, salvage and junk yards, and the department of transportation's authorized data consolidator, establishing fees, and providing penalties.

SSB 1140 Transportation

Relating to dealers and lienholders of motor vehicles and travel trailers, and providing penalties.

SSB 1141 Ways and Means

Extending the allowable period of time that the economic development authority and certain cities may enter into targeted jobs withholding agreements.

SUBCOMMITTEE ASSIGNMENTS**Senate File 19**

(Reassigned)

TRANSPORTATION: Smith, Chair; Brown and Lykam

Senate File 84

(Reassigned)

TRANSPORTATION: Kraayenbrink, Chair; Horn and Smith

Senate File 111

(Reassigned)

TRANSPORTATION: Anderson, Chair; Bisignano and Brown

Senate File 125

(Reassigned)

TRANSPORTATION: Anderson, Chair; Brown and Lykam

[Senate File 236](#)

WAYS AND MEANS: Feenstra, Chair; Petersen and Schultz

[Senate File 254](#)

HUMAN RESOURCES: Chapman, Chair; Bolkcom and Chelgren

[Senate File 255](#)

HUMAN RESOURCES: Chapman, Chair; Chelgren and Quirmbach

[Senate File 272](#)

STATE GOVERNMENT: Chapman, Chair; Danielson and Zaun

[Senate File 277](#)

HUMAN RESOURCES: Segebart, Chair; Garrett and Mathis

[Senate File 278](#)

HUMAN RESOURCES: Segebart, Chair; Garrett and Jochum

[Senate File 279](#)

WAYS AND MEANS: Feenstra, Chair; Jochum and Smith

[Senate File 285](#)

HUMAN RESOURCES: Garrett, Chair; C. Johnson and Mathis

[Senate File 286](#)

HUMAN RESOURCES: Segebart, Chair; Costello and Ragan

[Senate File 289](#)

TRANSPORTATION: Zumbach, Chair; Anderson and Bowman

[Senate File 290](#)

AGRICULTURE: Zumbach, Chair; Edler and Taylor

[Senate File 294](#)

EDUCATION: Sinclair, Chair; Bowman and Chelgren

[House File 289](#)
(Reassigned)

TRANSPORTATION: Breitbach, Chair; Bowman and Smith

[SSB 1020](#)
(Reassigned)

TRANSPORTATION: Anderson, Chair; Brown and Lykam

[SSB 1038](#)
(Reassigned)

TRANSPORTATION: Smith, Chair; Lykam and Zumbach

[SSB 1079](#)
(Reassigned)

TRANSPORTATION: Breitbach, Chair; Bowman and Brown

[SSB 1133](#)

HUMAN RESOURCES: Garrett, Chair; C. Johnson and Ragan

[SSB 1134](#)

HUMAN RESOURCES: Greene, Chair; Mathis and Shipley

[SSB 1135](#)

STATE GOVERNMENT: Chapman, Chair; Bisignano and Schultz

[SSB 1136](#)

STATE GOVERNMENT: Smith, Chair; Bisignano and Chapman

[SSB 1137](#)

EDUCATION: Sinclair, Chair; Chelgren and Hart

[SSB 1138](#)

COMMERCE: Zumbach, Chair; Bertrand and Petersen

[SSB 1139](#)

TRANSPORTATION: Smith, Chair; Brown and Lykam

[SSB 1140](#)

TRANSPORTATION: Smith, Chair; Danielson and Kraayenbrink

[SSB 1141](#)

WAYS AND MEANS: Feenstra, Chair; Dawson and Dotzler

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 9](#), a resolution recognizing December 10, 2017, as Tim O'Connell Day in Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Dix, Whitver, Hogg, Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith. Nays, none. Absent, 1: Behn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 10](#), a resolution recognizing February 17, 2017, as the 175th anniversary of Iowa Wesleyan University.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Dix, Whitver, Hogg, Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith. Nays, none. Absent, 1: Behn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: [SENATE FILE 296](#) (formerly [SF 227](#)), a bill for an act relating to operating or riding a snowmobile or all-terrain vehicle while carrying a firearm.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Kapucian, Breitbach, Bowman, Anderson, Bertrand, Bisignano, Brown, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNOR'S APPOINTEE PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

COMMERCE

Doug Ommen –Commissioner of Insurance