

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, APRIL 20, 2017

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JOURNAL OF THE SENATE

ONE HUNDRED SECOND CALENDAR DAY
SEVENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 20, 2017

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

Prayer was offered by Pastor Mario Lara of the Life Bridge Church of Christ in Des Moines, Iowa. He was the guest of Senator Garrett.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Joe Anderson, Eva Anderson, and Mary Anderson, the children of Senator Bill Anderson.

The Journal of Wednesday, April 19, 2017, was approved.

The Senate stood at ease at 9:05 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:34 p.m., President Whitver presiding.

QUORUM CALL

Senator Dix requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent, and a quorum present.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Dix asked and received unanimous consent to take up for consideration [Senate File 516](#).

[Senate File 516](#)

On motion of Senator Schneider, [Senate File 516](#), a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, concerning taxation, and providing for other properly related matters, and including effective date and retroactive applicability provisions, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on [Senate File 516](#) be **deferred**.

The Senate stood at ease at 1:47 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 2:15 p.m., President Whitver presiding.

UNFINISHED BUSINESS
(Deferred April 19, 2017)

[Senate File 356](#)

The Senate resumed consideration of [Senate File 356](#), a bill for an act 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, deferred April 19, 2017.

Senator Feenstra offered amendment [S-3353](#), filed by him on April 19, 2017, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-3353](#) was adopted by a voice vote.

Senator Feenstra asked and received unanimous consent that [House File 478](#) be **substituted** for [Senate File 356](#).

House File 478

On motion of Senator Feenstra, [House File 478](#), a bill for an act 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, was taken up for consideration.

Senator Feenstra withdrew amendment [S-3360](#), filed by him on April 19, 2017, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Feenstra offered amendment [S-3364](#), filed by him from the floor striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-3364](#) was adopted by a voice vote.

Senator Feenstra 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?" ([H.F. 478](#)), 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	Shipley
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.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that [House File 478](#) be **immediately messaged** to the House.

WITHDRAWN

Senator Feenstra asked and received unanimous consent that [Senate File 356](#) be **withdrawn** from further consideration of the Senate.

BUSINESS PENDING

[Senate File 516](#)

The Senate resumed consideration of [Senate File 516](#), a bill for an act relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, concerning taxation, and providing for other properly related matters, and including effective date and retroactive applicability provisions, previously deferred.

Senator Bowman offered amendment [S-3368](#), filed by Senators Bowman, Kinney, and McCoy from the floor to page 6 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3368](#) be adopted?” ([S.F. 516](#)), 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, 29:

Anderson	Dawson	Kapucian	Sinclair
Behn	Dix	Kraayenbrink	Smith
Bertrand	Elder	Lofgren	Whitver
Breitbach	Feenstra	Rozenboom	Zaun

Brown	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, none.

Amendment [S-3368](#) lost.

SPECIAL GUESTS

President Whitver introduced to the Senate chamber the Honorable Becky Schmitz, former member of the Senate from Jefferson County, Fairfield, Iowa.

The Senate rose and expressed its welcome.

President Whitver introduced to the Senate chamber U.S. Congressman Dave Loebsack.

The Senate rose and expressed its welcome.

Senator Zaun offered amendment [S-3365](#), filed by him from the floor to page 8 of the bill.

Senator Schneider raised the point of order that amendment [S-3365](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3365](#) out of order.

Senator Bisignano offered amendment [S-3375](#), filed by Senators Bisignano and Boulton from the floor to page 8 of the bill.

Senator Schneider raised the point of order that amendment [S-3375](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3375](#) out of order.

Senator Bowman offered amendment [S-3377](#), filed by him from the floor to page 8 of the bill.

Senator Schneider raised the point of order that amendment [S-3377](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3377](#) out of order.

Senator Kinney offered amendment [S-3380](#), filed by him from the floor to page 8 of the bill.

Senator Schneider raised the point of order that amendment [S-3380](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3380](#) out of order.

Senator Dix asked and received unanimous consent that action on [Senate File 516](#) be **deferred**.

The Senate stood at ease at 3:02 p.m. until the fall of the gavel.

The Senate resumed session at 3:29 p.m., President Whitver presiding.

The Senate resumed consideration of [Senate File 516](#).

Senator Schneider offered amendment [S-3369](#), filed by him from the floor to pages 9–12 of the bill.

Senator Schneider offered amendment [S-3382](#), filed by him from the floor to page 1 of amendment [S-3369](#), and moved its adoption.

Amendment [S-3382](#) to amendment [S-3369](#) was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy, until he returns, on request of Senator Hogg.

Senator Bisignano offered amendment [S-3372](#), filed by Senators Bisignano, Dotzler, and Lykam from the floor to page 1 amendment [S-3369](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3372](#) to amendment [S-3369](#) be adopted?” ([S.F. 516](#)), the vote was:

Yeas, 20:

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

Nays, 29:

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

Absent, 1:

McCoy

Amendment [S-3372](#) to amendment [S-3369](#) lost.

Senator Schneider moved the adoption of amendment [S-3369](#), as amended.

Amendment [S-3369](#), as amended, was adopted by a voice vote.

With the adoption of amendment [S-3369](#), the Chair ruled amendment [S-3367](#), filed by Senators Bisignano, Dotzler, and Lykam from the floor, to pages 9–10 of the bill; and amendment [S-3381](#), filed by Senator Schneider from the floor to page 5 of the bill, out of order.

Senator D. Johnson withdrew amendment [S-3373](#), filed by him from the floor to page 10 of the bill.

Senator D. Johnson offered amendment [S-3361](#), filed by him on April 19, 2017, to page 12 of the bill.

Senator Schneider raised the point of order that amendment [S-3361](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3361](#) out of order.

Senator D. Johnson withdrew amendment [S-3362](#), filed by him on April 19, 2017, to page 14 of the bill.

Senator D. Johnson offered amendment [S-3359](#), filed by him on April 19, 2017, to page 20 of the bill.

Senator Schneider raised the point of order that amendment [S-3359](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3359](#) out of order.

Senator D. Johnson withdrew amendment [S-3376](#), filed by him from the floor to page 20 of the bill.

Senator D. Johnson withdrew amendment [S-3378](#), filed by him from the floor to page 20 of the bill.

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

Yeas, 30:

Anderson	Dawson	Johnson, D.	ShIPLEY
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 516](#) 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 515](#).

[Senate File 515](#)

On motion of Senator Costello, [Senate File 515](#), a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions, was taken up for consideration.

Senator Costello offered amendment [S-3366](#), filed by him from the floor striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment [S-3366](#) was adopted by a voice vote.

Senator Costello asked and received unanimous consent that [House File 653](#) be **substituted** for [Senate File 515](#).

House File 653

On motion of Senator Costello, [House File 653](#), a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions, was taken up for consideration.

Senator Petersen offered amendment [S-3370](#), filed by her from the floor to pages 34, 99, 136–137 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3370](#) be adopted?” ([H.F. 653](#)), the vote was:

Yeas, 20:

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

Nays, 29:

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

Absent, 1:

Chelgren

Amendment [S-3370](#) lost.

Senator Ragan offered amendment [S-3371](#), filed by Senators Ragan and Mathis from the floor to page 151 of the bill.

Senator Costello raised the point of order that amendment [S-3371](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3371](#) out of order.

Senator Hart offered amendment [S-3379](#), filed by her from the floor to page 151 of the bill.

Senator Costello raised the point of order that amendment [S-3379](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3379](#) out of order.

Senator Petersen withdrew amendment [S-3383](#), filed by her from the floor to page 151 of the bill.

[House File 653](#) was deferred.

The Senate stood at ease at 5:28 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:13 p.m., President Whitver presiding.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Dix asked and received unanimous consent to take up for consideration [House File 573](#).

[House File 573](#)

On motion of Senator Lofgren, [House File 573](#), a bill for an act relating to the exercise, by school districts, of any broad and implied powers not inconsistent with the laws of the general assembly, and to the construction of statutes related to school district boards and school districts, placed on the Unfinished Business Calendar on April 7, 2017, with report of committee recommending passage, was taken up for consideration.

Senator Quirnbach offered amendment [S-3374](#), 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-3374](#) be adopted?” ([H.F. 573](#)), the vote was:

Yeas, 20:

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

Nays, 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	

Absent, none.

Amendment [S-3374](#) lost.

Senator Lofgren offered amendment [S-3363](#), filed by him on April 19, 2017, to page 1 of the bill, and moved its adoption.

Amendment [S-3363](#) was adopted by a voice vote.

Senator Lofgren 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?” ([H.F. 573](#)), the vote was:

Yeas, 34:

Allen	Chelgren	Hart	Segebart
Anderson	Costello	Johnson, C.	Shiple
Behn	Dawson	Kapucian	Sinclair
Bertrand	Dix	Kinney	Smith
Bisignano	Edler	Kraayenbrink	Whitver
Bowman	Feenstra	Lofgren	Zaun

Breitbach	Garrett	Rozenboom	Zumbach
Brown	Greene	Schneider	
Chapman	Guth	Schultz	

Nays, 16:

Bolkcom	Dvorsky	Johnson, D.	Petersen
Boulton	Hogg	Lykam	Quirnbach
Danielson	Horn	Mathis	Ragan
Dotzler	Jochum	McCoy	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 [House File 573](#) be **immediately messaged** to the House.

BUSINESS PENDING

[House File 653](#)

The Senate resumed consideration of [House File 653](#), a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions, previously deferred.

Senator Ragan offered amendment [S-3384](#), filed by Senators Ragan and Mathis from the floor to page 151 of the bill.

Senator Costello raised the point of order that amendment [S-3384](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3384](#) out of order.

Senator Hart offered amendment [S-3385](#), filed by her from the floor to page 151 of the bill.

Senator Costello raised the point of order that amendment [S-3385](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3385](#) out of order.

Senator Zaun took the chair at 7:50 p.m.

President Whitver took the chair at 8:21 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bisignano, until he returns, on request of Senator Hogg.

Senator Costello 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?" ([H.F. 653](#)), the vote was:

Yeas, 28:

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

Nays, 21:

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

Absent, 1:

Bisignano

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

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 April 20, 2017, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 504](#), a bill for an act relating to mental health and disabilities, including the funding of mental health and disability services by modifying the mental health and disability services property tax levy, providing for the expenditure and deposit of certain county hospital property tax revenues, requiring the use of specified excess cash flow funds, including certain law enforcement notification provisions, and including effective date and applicability provisions.

ALSO: That the House has on April 20, 2017, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

[House File 608](#), a bill for an act relating to the technical administration of the tax laws by the department of revenue, including administration of the research activities credit, income taxes, and the flood mitigation program, and including effective date and retroactive applicability provisions.

[House File 621](#), a bill for an act relating to programs and projects administered by the economic development authority.

[House File 640](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and including effective date provisions.

ALSO: That the House has on April 20, 2017, **amended** the Senate amendment, **concurred** in the Senate amendment **as amended**, **and passed** the following bill in which the concurrence of the Senate is asked:

[House File 463](#), a bill for an act 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. ([S-3386](#))

ALSO: That the House has on April 20, 2017, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 649](#), a bill for an act relating to health data collection and use.

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

WITHDRAWN

Senator Costello asked and received unanimous consent that [Senate File 515](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that [House File 653](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 8:55 p.m. until 9:00 a.m., Friday, April 21, 2017.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Evelyn Schlunsen, Davenport—For celebrating her 100th birthday. Senator Lykam.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 20, 2017, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 51](#) – Relating to a cytomegalovirus public health initiative and the testing of newborns for congenital cytomegalovirus.

[Senate File 237](#) – Relating to the practice of public accountants.

[Senate File 333](#) – Relating to a fiduciary’s access to digital assets and including applicability provisions.

[Senate File 362](#) – Barring claims against fairs for damages arising out of the transmission of pathogens from certain animals housed on the fairgrounds.

[Senate File 406](#) – Exempting motor vehicles carrying an implement of husbandry from certain permit requirements.

[Senate File 493](#) – Relating to the authority of combined benefited recreational lake and water quality districts when issuing bonds.

AMENDMENTS FILED

S-3364	H.F. 478	Randy Feenstra
S-3365	S.F. 516	Brad Zaun
S-3366	S.F. 515	Mark Costello
S-3367	S.F. 516	Tony Bisignano Jim Lykam William A. Dotzler, Jr.
S-3368	S.F. 516	Tod R. Bowman Kevin Kinney Matt McCoy
S-3369	S.F. 516	Charles Schneider
S-3370	H.F. 653	Janet Petersen
S-3371	H.F. 653	Amanda Ragan Liz Mathis
S-3372	S.F. 516	Tony Bisignano William A. Dotzler, Jr. Jim Lykam
S-3373	S.F. 516	David Johnson
S-3374	H.F. 573	Herman C. Quirnbach
S-3375	S.F. 516	Tony Bisignano Nate Boulton
S-3376	S.F. 516	David Johnson
S-3377	S.F. 516	Tod R. Bowman
S-3378	S.F. 516	David Johnson
S-3379	H.F. 653	Rita Hart
S-3380	S.F. 516	Kevin Kinney
S-3381	S.F. 516	Charles Schneider
S-3382	S.F. 516	Charles Schneider
S-3383	H.F. 653	Janet Petersen
S-3384	H.F. 653	Amanda Ragan Liz Mathis

<u>S-3385</u>	<u>H.F. 653</u>	Rita Hart
<u>S-3386</u>	<u>H.F. 463</u>	House