

PROOF

STATE OF IOWA

Senate Journal

MONDAY, FEBRUARY 26, 2018

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JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 26, 2018

The Senate met in regular session at 1:06 p.m., President Whitver presiding.

Prayer was offered by Rajan Zed, the President of Universal Society of Hinduism in Reno, Nevada. He was the guest of Senator Hogg.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Spencer Short.

The Journal of Thursday, February 22, 2018, was approved.

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 22, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2171](#), a bill for an act relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing.

Read first time and attached to **companion** [Senate File 2170](#).

[House File 2255](#), a bill for an act relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties.

Read first time and attached to **companion** [Senate File 2179](#).

[House File 2300](#), a bill for an act relating to the practice of certain professions and limited liability companies and professional corporations and including effective date provisions.

Read first time and attached to **similar** [Senate File 2173](#).

[House File 2348](#), a bill for an act relating to nonsubstantive Code corrections.

Read first time and attached to **similar** [Senate File 2336](#).

[House File 2351](#), a bill for an act relating to continuation of health care coverage for certain surviving spouses and children of peace officers killed in the line of duty, and including effective date and retroactive applicability provisions.

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

[House File 2356](#), a bill for an act relating to agreements between individuals and health care professionals for the provision of certain primary care health services for a service charge that covers an agreed upon period of time.

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

[House File 2379](#), a bill for an act relating to municipal utility retirement systems.

Read first time and attached to **companion** [Senate File 2288](#).

[House File 2392](#), a bill for an act relating to electronic and mechanical eavesdropping, and the interception of communications.

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

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Steve Lukan, the Governor's appointee to be the Executive Director of the Commission of Veterans Affairs. He was the guest of Senators Bertrand and Bowman and the committee on Veterans Affairs.

RECESS

On motion of Senator Dix, the Senate recessed at 1:16 p.m. until the conclusion of the meeting of the committee on Commerce.

RECONVENED

The Senate reconvened at 5:16 p.m., President Whitver presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Chelgren, until he arrives, on request of Senator Dix.

SENATE RECEDES

[House File 2230](#)

Senator Dix called up for consideration [House File 2230](#), a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions, amended by the Senate, and moved that the Senate recede from its amendment.

The motion prevailed by a voice vote and the Senate **receded** from its amendment.

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?” ([H.F. 2230](#)), the vote was:

Yeas, 28:

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

Nays, 21:

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

Absent, 1:

Chelgren

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

HOUSE AMENDMENT CONSIDERED

[Senate File 455](#)

Senator Dix called up for consideration [Senate File 455](#), a bill for an act relating to school district finance by modifying provisions relating to the calculation of the regular program state cost per pupil and the regular program district cost per pupil, and by establishing a supplementary weighting plan for certain mandatory school district transportation costs and including effective date provisions, amended by the House in House amendment [S-5017](#), filed February 20, 2018.

Senator Sinclair moved that the Senate concur in the House amendment.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" ([S.F. 455](#)), the vote was:

Yeas, 29:

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

Nays, 20:

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

Absent, 1:

Chelgren

The motion prevailed and the Senate **concurred** in the House amendment.

Senator Sinclair moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 455](#)), the vote was:

Yeas, 45:

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

Nays, 4:

Bisignano Johnson, D. McCoy Petersen

Absent, 1:

Chelgren

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

CONSIDERATION OF BILL
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration [Senate File 2172](#).

[Senate File 2172](#)

On motion of Senator Sinclair, [Senate File 2172](#), a bill for an act relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve, was taken up for consideration.

Senator Sinclair asked and received unanimous consent that [House File 2175](#) be **substituted** for [Senate File 2172](#).

[House File 2175](#)

On motion of Senator Sinclair, [House File 2175](#), a bill for an act relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve, was taken up for consideration.

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?" ([H.F. 2175](#)), the vote was:

Yeas, 49:

| | | | |
|-----------|----------|--------------|-----------|
| Allen | 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 |
| Carlin | Hart | Petersen | Zumbach |
| Chapman | Hogg | Quirnbach | |
| Costello | Horn | Ragan | |
| Danielson | Jochum | Rozenboom | |

Nays, none.

Absent, 1:

Chelgren

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 455](#) and **House Files 2175** and **2230** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2228, 2233, and 2334.

[Senate File 2228](#)

On motion of Senator Greene, [Senate File 2228](#), a bill for an act providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions, was taken up for consideration.

Senator Greene 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. 2228](#)), the vote was:

Yeas, 48:

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

Nays, 1:

Schneider

Absent, 1:

Chelgren

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

WITHDRAWN

Senator Sinclair asked and received unanimous consent that [Senate File 2172](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2233](#)

On motion of Senator Zumbach, [Senate File 2233](#), a bill for an act relating to the administration of driving skills tests required for a commercial driver's license, was taken up for consideration.

Senator Zumbach asked and received unanimous consent that [House File 2197](#) be **substituted** for [Senate File 2233](#).

House File 2197

On motion of Senator Zumbach, [House File 2197](#), a bill for an act relating to the administration of driving skills tests required for a commercial driver's license, was taken up for consideration.

Senator Zumbach 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. 2197](#)), the vote was:

Yeas, 49:

| | | | |
|-----------|----------|--------------|-----------|
| Allen | 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 |
| Carlin | Hart | Petersen | Zumbach |
| Chapman | Hogg | Quirnbach | |
| Costello | Horn | Ragan | |
| Danielson | Jochum | Rozenboom | |

Nays, none.

Absent, 1:

Chelgren

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

Senate File 2334

On motion of Senator Smith, [Senate File 2334](#), a bill for an act relating to the regulation of hospitals, including the issuance of licenses and the conversion of hospitals, was taken up for consideration.

Senator Smith 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. 2334](#)), the vote was:

Yeas, 49:

| | | | |
|-----------|----------|--------------|-----------|
| Allen | 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 |
| Carlin | Hart | Petersen | Zumbach |
| Chapman | Hogg | Quirnbach | |
| Costello | Horn | Ragan | |
| Danielson | Jochum | Rozenboom | |

Nays, none.

Absent, 1:

Chelgren

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

WITHDRAWN

Senator Zumbach asked and received unanimous consent that [Senate File 2233](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate Files 2228** and **2334** and [House File 2197](#) be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Files 2339, 2345, and 2341.

Senate File 2339

On motion of Senator Chapman, **Senate File 2339**, a bill for an act permitting employers to provide employees with wage statements by electronic means, was taken up for consideration.

Senator Chapman asked and received unanimous consent that **House File 2240** be **substituted** for **Senate File 2339**.

House File 2240

On motion of Senator Chapman, **House File 2240**, a bill for an act permitting employers to provide employees with wage statements by electronic means, was taken up for consideration.

Senator Chapman 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. 2240**), the vote was:

Yeas, 47:

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

Nays, 2:

Dotzler Taylor

Absent, 1:

Chelgren

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

[Senate File 2345](#)

On motion of Senator Schneider, [Senate File 2345](#), a bill for an act concerning manufactured homes by creating a manufactured housing program fund and providing eligibility under the home ownership assistance program for military members for the purchase of manufactured homes, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on [Senate File 2345](#) be **deferred**.

WITHDRAWN

Senator Chapman asked and received unanimous consent that [Senate File 2339](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2341](#)

On motion of Senator Behn, [Senate File 2341](#), a bill for an act relating to administration of a civics examination students must pass as a condition of high school graduation and for issuance of a high school equivalency diploma and including applicability provisions, was taken up for consideration.

Senator Bowman asked and received unanimous consent that action on [Senate File 2341](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that [House File 2240](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 6:01 p.m. until 9:00 a.m., Tuesday, February 27, 2018.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Monday, February 26, 2018, 1:20 p.m.

Members Present: Zumbach, Chair; Brown, Vice Chair; Kinney, Ranking Member; Bowman, Costello, Hart, Kapucian, Ragan, Rozenboom, Shipley, and Taylor.

Members Absent: Edler and Segebart (both excused).

Committee Business: Governor's appointees.

Adjourned: 1:25 p.m.

COMMERCE

Convened: Monday, February 26, 2018, 4:05 p.m.

Members Present: Chapman, Chair; Breitbach, Vice Chair; Allen, Ranking Member; Boulton, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach.

Members Absent: Bertrand and Feenstra (both excused).

Committee Business: Governor's appointees.

Adjourned: 4:10 p.m.

EDUCATION

Convened: Monday, February 26, 2018, 1:30 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: Chelgren (excused).

Committee Business: Governor's appointees.

Adjourned: 1:40 p.m.

HUMAN RESOURCES

Convened: Monday, February 26, 2018, 3:05 p.m.

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

Members Absent: Chelgren (excused).

Committee Business: Governor's appointees.

Adjourned: 3:40 p.m.

STATE GOVERNMENT

Convened: Monday, February 26, 2018, 2:10 p.m.

Members Present: Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun.

Members Absent: None.

Committee Business: Governor's appointees.

Adjourned: 2:15 p.m.

TRANSPORTATION

Convened: Monday, February 26, 2018, 3:05 p.m.

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

Members Absent: Bertrand (excused).

Committee Business: Governor's appointee.

Adjourned: 3:25 p.m.

INTRODUCTION OF BILLS

[Senate File 2384](#), by Bowman, Allen, Kinney, Ragan, and Hart, a bill for an act updating the Code references to the Internal Revenue Code and decoupling from certain bonus depreciation provisions and qualified business income 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 2385](#), by Dotzler, a bill for an act exempting from the state sales tax the purchase price of tangible personal property sold and services furnished to a nonprofit food bank.

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

SUBCOMMITTEE ASSIGNMENTS

[House File 2117](#)

JUDICIARY: Garrett, Chair; Bisignano and Edler

[House File 2193](#)

TRANSPORTATION: Smith, Chair; Bowman and Carlin

[House File 2195](#)

TRANSPORTATION: Kapucian, Chair; Danielson and Kraayenbrink

[House File 2231](#)

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Behn and Kinney

[House File 2256](#)

TRANSPORTATION: Breitbach, Chair; Bowman and Zumbach

**GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

AGRICULTURE

Steve Hofmann – State Soil Conservation Committee

COMMERCE

Bob Holz – Telecommunications and Technology Commission

EDUCATION

Kathryn Dorsey – Early Childhood Iowa State Board

David Schipper – Board of Educational Examiners

Beverly Wharton – Iowa Higher Education Loan Authority

Martha Bruckner – School Budget Review Committee

HUMAN RESOURCES

Suzanne Heckenlaible – Commission on Aging

Dennis Bush – Mental Health and Disability Services Commission

Albert Mingo – Board of Sign Language Interpreters and Transliterators

STATE GOVERNMENT

Matthew Gibson – Commission on the Status of African Americans

Scott Hatfield – Architectural Examining Board

Cynthia Hummel – Board of Cosmetology Arts and Sciences

Daniel Wood – Electrical Examining Board

Todde Folkerts – Engineering and Land Surveying Examining Board

Nicholas Woolley – Board of Hearing Aid Specialists

Joan Birk – Interior Design Examining Board

Danielle Williams – Interior Design Examining Board

Sherrae Hanson – Iowa Lottery Authority Board of Directors

Dr. Warren Gall – Board of Medicine

Sue Putnam – Board of Nursing

Gwen Suntken – Board of Nursing

Monica McHugh – Iowa Public Information Board

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

HUMAN RESOURCES

Jerry Foxhoven – Director of the Department of Human Services

TRANSPORTATION

Mark Lowe – Director of Transportation

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar without recommendation for confirmation:

STATE GOVERNMENT

David Langkamp – Board of Mortuary Science

Bradley Earp – Board of Physical and Occupational Therapy

Elizabeth Hansen – Real Estate Commission

AMENDMENTS FILED

| | | |
|------------------------|---------------------------|-------------------|
| S-5040 | S.F. 2272 | Amy Sinclair |
| S-5041 | S.F. 2311 | Michael Breitbach |