

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, APRIL 3, 2018

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JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 3, 2018

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

Prayer was offered by Pastor Andrew Bardole of the Corning United Methodist Church in Corning, Iowa. He was the guest of Senator Shipley.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jaelyn Lentz.

The Journal of Monday, April 2, 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 April 2, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 2169, a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries. ([S-5209](#))

ALSO: That the House has on April 2, 2018, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the Senate is asked:

House File 2297, a bill for an act relating to boiler and unfired steam pressure vessel inspections.

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

RECESS

On motion of Senator Whitver, the Senate recessed at 9:06 a.m. until 1:00 p.m.

RECONVENED

The Senate reconvened at 1:04 p.m., President Schneider presiding.

QUORUM CALL

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

The vote revealed 42 present, 8 absent, and a quorum present.

HOUSE AMENDMENTS CONSIDERED

[Senate File 2235](#)

Senator Whitver called up for consideration [Senate File 2235](#), a bill for an act relating to criminal acts committed on or against critical infrastructure property and providing penalties, amended by the House in House amendment [S-5198](#), filed March 28, 2018.

Senator Petersen asked and received unanimous consent that action on House amendment [S-5198](#) and [Senate File 2235](#) be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dawson, until he arrives, on request of Senator Whitver.

[Senate File 2360](#)

Senator Whitver called up for consideration [Senate File 2360](#), a bill for an act providing for a dyslexia response task force and report, amended by the House in House amendment [S-5206](#), filed April 2, 2018.

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

The motion prevailed by a voice vote 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. 2360](#)), the vote was:

Yeas, 48:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	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	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirmbach	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 2291](#) and [House File 2258](#).

[Senate File 2291](#)

On motion of Senator Carlin, [Senate File 2291](#), a bill for an act relating to the inspection and examination of certain public records under the custody of the state archivist, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Carlin offered amendment [S-5207](#), filed by him on April 2, 2018, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-5207](#) was adopted by a voice vote.

Senator Carlin asked and received unanimous consent that [House File 2277](#) be **substituted** for [Senate File 2291](#).

[House File 2277](#)

On motion of Senator Carlin, [House File 2277](#), a bill for an act relating to the inspection and examination of certain public records under the custody of the state archivist, was taken up for consideration.

Senator Carlin offered amendment [S-5201](#), filed by him on March 28, 2018, to page 1 of the bill, and moved its adoption.

Amendment [S-5201](#) was adopted by a voice vote.

Senator Carlin 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. 2277](#)), the vote was:

Yeas, 48:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	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	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirnbach	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

WITHDRAWN

Senator Carlin asked and received unanimous consent that [Senate File 2291](#) be **withdrawn** from further consideration of the Senate.

[House File 2258](#)

On motion of Senator Garrett, [House File 2258](#), a bill for an act relating to the uses of remitted sales tax revenue and moneys from the flood mitigation fund under the flood mitigation program and including applicability provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Garrett offered amendment [S-5155](#), filed by the committee on Local Government on March 14, 2018, to page 1 of the bill, and moved its adoption.

Amendment [S-5155](#) was adopted by a voice vote.

Senator Garrett 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. 2258](#)), the vote was:

Yeas, 48:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	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	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirnbach	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate File 2360](#) and **House Files 2258** and **2277** be **immediately messaged** to the House.

BUSINESS PENDING

[Senate File 2235](#)

The Senate resumed consideration of [Senate File 2235](#), a bill for an act relating to criminal acts committed on or against critical infrastructure property and providing penalties, and House amendment [S-5198](#), previously deferred.

Senator McCoy withdrew amendment [S-5213](#), filed by him from the floor to page 1 of House amendment [S-5198](#).

Senator Hogg offered amendment [S-5212](#), filed by him from the floor to page 2 of House amendment [S-5198](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5212](#) to amendment [S-5198](#) be adopted?" ([S.F. 2235](#)), 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, 27:

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

Absent, 1:

Dawson

Vacant, 1.

Amendment [S-5212](#) to amendment [S-5198](#) lost.

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

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Shipley 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. 2235](#)), the vote was:

Yeas, 35:

Allen	Costello	Johnson, C.	Schultz
Behn	Danielson	Kapucian	Segebart
Bertrand	Edler	Kinney	Shipley
Bowman	Feenstra	Kraayenbrink	Sinclair
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Mathis	Whitver
Carlin	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Horn	Schneider	

Nays, 13:

Bisignano	Dvorsky	Lykam	Taylor
Bolkcom	Hogg	McCoy	
Boulton	Jochum	Petersen	
Dotzler	Johnson, D.	Quirnbach	

Absent, 1:

Dawson

Vacant, 1.

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

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2404, 2427, 2445, and 2467.

[House File 2404](#)

On motion of Senator Zaun, [House File 2404](#), a bill for an act relating to restitution paid to the estate or heirs at law of a crime victim, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Zaun 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. 2404](#)), the vote was:

Yeas, 48:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	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	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirnbach	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

House File 2427

On motion of Senator Costello, [House File 2427](#), a bill for an act relating to access to certain child abuse and dependent adult abuse information by free clinics, and including effective date provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

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. 2427](#)), the vote was:

Yeas, 48:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	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	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirnbach	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

House File 2445

On motion of Senator Segebart, [House File 2445](#), a bill for an act relating to the provision and administration of mental health, disability, and homemaker-home health aide services by the department of human services, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Segebart offered amendment [S-5160](#), filed by the committee on Human Resources on March 15, 2018, to pages 1 and 13 and amending the title page of the bill, and moved its adoption.

Amendment [S-5160](#) was adopted by a voice vote.

SPECIAL GUEST

President Schneider introduced to the Senate chamber the Honorable Swati Dandekar, former member of the Senate from Linn County, Marion, Iowa.

The Senate rose and expressed its welcome.

Senator Segebart 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. 2445](#)), the vote was:

Yeas, 48:

Allen	Costello	Jochum	Ragan
Behn	Danielson	Johnson, C.	Rozenboom
Bertrand	Dotzler	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	Taylor
Carlin	Hart	McCoy	Whitver
Chapman	Hogg	Petersen	Zaun
Chelgren	Horn	Quirnbach	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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

[House File 2467](#)

On motion of Senator Rozenboom, [House File 2467](#), a bill for an act relating to school meal debt and to school meal programs offered by school districts and accredited nonpublic schools, authorizing the establishment of unpaid student meals accounts, and authorizing the transfer and expenditure of certain funds, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Rozenboom offered amendment [S-5210](#), filed by Senators Rozenboom and Edler from the floor to pages 1–3 and amending the title page of the bill, and moved its adoption.

Amendment [S-5210](#) was adopted by a voice vote.

Senator Rozenboom 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. 2467](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

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 Whitver asked and received unanimous consent that [Senate File 2235](#) and **House Files 2404, 2427, 2445, and 2467** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Sinclair, the Senate adjourned at 2:23 p.m. until 9:00 a.m., Wednesday, April 4, 2018.

APPENDIX

REPORT OF COMMITTEE MEETING

LOCAL GOVERNMENT

Convened: Tuesday, March 27, 2018, 3:35 p.m.

Members Present: Garrett, Chair; Lofgren, Vice Chair; Hogg, Ranking Member; Allen, Chelgren, Greene, Guth, Kraayenbrink, and Segebart.

Members Absent: McCoy and Quirnbach (both excused).

Committee Business: Governor's appointees.

Adjourned: 3:40 p.m.

INTRODUCTION OF RESOLUTION

[Senate Concurrent Resolution 101](#), by Zaun, a concurrent resolution urging Congress to enact legislation to limit the interest rates collected or imposed by the United States Department of Education for certain federal student college loans.

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

INTRODUCTION OF BILL

[Senate File 2402](#), by Smith, a bill for an act providing for an exclusion from the individual income tax for certain amounts of governmental pension or retirement pay related to periods of employment not covered by the federal Social Security Act, and including applicability provisions.

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

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 2, 2018, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 2114](#) – Relating to matters involving the state board and department of education to reflect current practices, delete redundancies and inaccuracies, and resolve inconsistencies.

[Senate File 2231](#) – Relating to carrying weapons and operating or riding a snowmobile or all-terrain vehicle while carrying a loaded firearm.

[Senate File 2256](#) – Relating to campaign finance, including electronic filing requirements for statements and reports filed with the ethics and campaign disclosure board and disclosure requirements for contributions made to candidates or committees.

[Senate File 2310](#) – Relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce.

[Senate File 2323](#) – Relating to prohibitions and disclosure requirements concerning outside employment or activities requiring registration as a foreign agent and making penalties applicable.

[Senate File 2334](#) – Relating to the regulation of hospitals, including the issuance of licenses and the conversion of hospitals.

[Senate File 2349](#) – Relating to health plans established by associations of employers or sponsored by certain agricultural organizations.

[Senate File 2366](#) – Concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund.

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:

LOCAL GOVERNMENT

Chris McKee – City Development Board
Dennis Plautz – City Development Board

Rick Larkin – Mental Health Risk Pool Board
Andrew Nielsen – Mental Health Risk Pool Board
Peggy Rice – Mental Health Risk Pool Board
Shane Walter – Mental Health Risk Pool Board

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Katherine Asjes as a member of the Board of Medicine, is now automatically placed, without recommendation, upon the individual confirmation calendar.

Pursuant to Senate Rule 59, the State Government committee having failed to file its report within the prescribed time, the nominee, Thomas Carnahan as a member of the Commission on the Status of Women, is now automatically placed, without recommendation, upon the individual confirmation calendar.

AMENDMENTS FILED

S-5209	S.F. 2169	House
S-5210	H.F. 2467	Ken Rozenboom Jeff Edler
S-5211	H.F. 2280	Mark Chelgren
S-5212	S.F. 2235	Robert M. Hogg
S-5213	S.F. 2235	Matt McCoy
S-5214	H.F. 2280	Rita Hart