

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MARCH 26, 2018

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JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

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

The Senate met in regular session at 1:03 p.m., President Schneider presiding.

Prayer was offered by Pastor Linton Lundeen of Valley Church in West Des Moines, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Nick Zaugg.

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

BILL REFERRED TO COMMITTEE

President Schneider announced that [Senate File 2394](#) be referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

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 March 22, 2018, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2241](#), a bill for an act relating to the commission of a parole violation or a criminal offense while on parole.

[Senate File 2293](#), a bill for an act relating to motor vehicles, including provisions concerning record retention at established places of business of motor vehicle dealers, electronic titling and registration of motor vehicles, and warranties and recalls of motor vehicle franchises.

ALSO: That the House has on March 22, 2018, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 475](#), a bill for an act 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. ([S-5182](#))

[Senate File 2347](#), a bill for an act providing for the personal importation of alcoholic liquor, wine, and beer, concerning criminal penalties for bootlegging, and including effective date and applicability provisions. ([S-5181](#))

RECESS

On motion of Senator Whitver, the Senate recessed at 1:08 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:16 p.m., President Schneider presiding.

INTRODUCTION OF RESOLUTION

[Senate Resolution 113](#), by Dotzler, a resolution for recognizing the life and work of musician and radio broadcaster Bob Dorr.

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

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 113](#), a resolution for recognizing the life and work of musician and radio broadcaster Bob Dorr.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate Resolution 113](#).

[Senate Resolution 113](#)

On motion of Senator Dotzler, [Senate Resolution 113](#), a resolution for recognizing the life and work of musician and radio broadcaster Bob Dorr, was taken up for consideration.

Senator Dotzler moved the adoption of [Senate Resolution 113](#), which motion prevailed by a voice vote.

The Senate stood at ease at 1:22 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:34 p.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bertrand and Zumbach, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [House File 2390](#).

[House File 2390](#)

On motion of Senator Lofgren, [House File 2390](#), a bill for an act relating to terminology changes in education-related Iowa Code references to foreign languages, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

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. 2390](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

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 2364](#)

Senator Whitver called up for consideration [Senate File 2364](#), a bill for an act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings, amended by the House in House amendment [S-5179](#), filed March 21, 2018.

Senator Kraayenbrink asked and received unanimous consent that action on amendment [S-5179](#) and [Senate File 2364](#) be **deferred**.

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 2173, 2214, and 2275.

[Senate File 2173](#)

On motion of Senator Zaun, [Senate File 2173](#), a bill for an act relating to the practice of certain professions and limited liability companies and professional corporations, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Zaun offered amendment [S-5187](#), filed by him from the floor to pages 1 and 2 and amending the title page of the bill, and moved its adoption.

Amendment [S-5187](#) was adopted by a voice vote.

Senator Zaun asked and received unanimous consent that [House File 2300](#) be **substituted** for [Senate File 2173](#).

House File 2300

On motion of Senator Zaun, [House File 2300](#), a bill for an act relating to the practice of certain professions and limited liability companies and professional corporations, 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. 2300](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

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

WITHDRAWN

Senator Zaun asked and received unanimous consent that [Senate File 2173](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2214](#)

On motion of Senator Dawson, [Senate File 2214](#), a bill for an act relating to horse racing regulated by the racing and gaming commission, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Dawson offered amendment [S-5144](#), filed by him on March 13, 2018, to pages 2–3 of the bill, and moved its adoption.

Amendment [S-5144](#) was adopted by a voice vote.

Senator Dawson asked and received unanimous consent that [House File 2439](#) be **substituted** for [Senate File 2214](#).

[House File 2439](#)

On motion of Senator Dawson, [House File 2439](#), a bill for an act relating to horse racing regulated by the racing and gaming commission, was taken up for consideration.

Senator Dawson 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. 2439](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 2:

Bertrand Zumbach

Vacant, 1.

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

WITHDRAWN

Senator Dawson asked and received unanimous consent that [Senate File 2214](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2275](#)

On motion of Senator Guth, [Senate File 2275](#), a bill for an act relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, and financial records associated with the sale of cemetery and funeral merchandise and services, placed on the Unfinished Business Calendar on March 15, 2018, was taken up for consideration.

Senator Guth asked and received unanimous consent that [House File 2239](#) be **substituted** for [Senate File 2275](#).

[House File 2239](#)

On motion of Senator Guth, [House File 2239](#), a bill for an act relating to noninsurance business transactions regulated by the insurance division of the department of commerce, by providing for regulated securities and exchanges, and financial records associated with the sale of cemetery and funeral merchandise and services, was taken up for consideration.

Senator Guth 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. 2239](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

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

WITHDRAWN

Senator Guth asked and received unanimous consent that [Senate File 2275](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 2239, 2300, 2390, and 2439** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 2195, 2200, 2256, and 2338.

House File 2195

On motion of Senator Kapucian, [House File 2195](#), a bill for an act relating to members of the state transportation commission, and including effective date and retroactive applicability provisions, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Kapucian 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. 2195](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

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

House File 2200

On motion of Senator Smith, [House File 2200](#), a bill for an act authorizing the Terrace Hill commission to establish an endowment fund for musical arts to support piano competitions and scholarships, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, 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?" ([H.F. 2200](#)), the vote was:

Yeas, 33:

Allen	Costello	Kapucian	Segebart
Behn	Dawson	Kraayenbrink	Shiple
Bolkcom	Edler	Lofgren	Sinclair
Bowman	Feenstra	Lykam	Smith
Breitbach	Garrett	Mathis	Whitver
Brown	Greene	Ragan	Zaun
Carlin	Guth	Rozenboom	
Chapman	Johnson, C.	Schneider	
Chelgren	Johnson, D.	Schultz	

Nays, 14:

Bisignano	Dvorsky	Jochum	Quirnbach
Boulton	Hart	Kinney	Taylor
Danielson	Hogg	McCoy	
Dotzler	Horn	Petersen	

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

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

House File 2256

On motion of Senator Breitbach, [House File 2256](#), a bill for an act relating to the submission of certain reports by the department of transportation and county engineers, placed on the Unfinished Business Calendar on March 22, 2018, with report of committee recommending passage, was taken up for consideration.

Senator Breitbach 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. 2256](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 2:

Bertrand	Zumbach
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Vacant, 1.

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

House File 2338

On motion of Senator Shipley, [House File 2338](#), a bill for an act relating to temporary restricted licenses for operating-while-intoxicated offenders, providing penalties, 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 Shipley offered amendment [S-5158](#), filed by the committee on Judiciary on March 14, 2018, to pages 2, 6, and 10 of the bill, and moved its adoption.

Amendment [S-5158](#) was adopted by a voice vote.

Senator Shipley 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. 2338](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 2:

Bertrand	Zumbach
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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 **House Files 2195, 2200, 2256, and 2338** be **immediately messaged** to the House.

BUSINESS PENDING

[Senate File 2364](#)

The Senate resumed consideration of [Senate File 2364](#), a bill for an act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings, and House amendment [S-5179](#), previously deferred.

Senator Kraayenbrink offered amendment [S-5188](#), filed by him from the floor to page 1 of House amendment [S-5179](#), and moved its adoption.

Amendment [S-5188](#) to House amendment [S-5179](#) was adopted by a voice vote.

Senator Kraayenbrink moved that the Senate concur in the House amendment, as amended.

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

Senator Kraayenbrink moved that the bill, as amended by the House, further amended 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. 2364](#)), the vote was:

Yeas, 47:

Allen	Danielson	Jochum	Ragan
Behn	Dawson	Johnson, C.	Rozenboom
Bisignano	Dotzler	Johnson, D.	Schneider
Bolkcom	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith

Carlin	Guth	Mathis	Taylor
Chapman	Hart	McCoy	Whitver
Chelgren	Hogg	Petersen	Zaun
Costello	Horn	Quirnbach	

Nays, none.

Absent, 2:

Bertrand Zumbach

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 2364](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 3:32 p.m. until 9:00 a.m., Tuesday, March 27, 2018.

APPENDIX

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:

DEPARTMENT OF CULTURAL AFFAIRS

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on March 26, 2018.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on March 26, 2018.

BOARD OF REGENTS

Span of Control Policy Report, pursuant to Iowa Code section 262.9C. Report received on March 23, 2018.

CERTIFICATE OF RECOGNITION

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

Lt. Col. Charles W. Thie, Burlington—For his 27 years of dental service to S.E. Iowa and over 40 years of service to the USAF in active status, overseas deployments, and USAF reserves. Senator Greene.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Monday, March 26, 2018, 1:10 p.m.

Members Present: Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Behn, Chapman, Dvorsky, Feenstra, Jochum, Ragan, and Smith.

Members Absent: Sinclair (excused).

Committee Business: Passed [SR 113](#).

Adjourned: 1:15 p.m.

INTRODUCTION OF BILL

[Senate File 2398](#), by committee on Ways and Means, a bill for an act relating to industrial hemp, including the regulation of its production as part of a research program, marketing for purposes of manufacturing industrial hemp products, providing for fees, making appropriations, providing for enforcement and the confiscation and destruction of certain property, and including penalties.

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

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2394](#)

APPROPRIATIONS: Chelgren, Chair; Boulton and Shipley

[House File 2463](#)

WAYS AND MEANS: Feenstra, Chair; Behn and Hogg

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: *[SENATE FILE 2398](#) (formerly [SF 329](#)), a bill for an act relating to industrial hemp, including the regulation of its production as part of a research program, marketing for purposes of manufacturing industrial hemp products, providing for fees, making appropriations, providing for enforcement and the confiscation and destruction of certain property, and including penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Feenstra, Behn, Jochum, Bolkcom, Breitbart, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, McCoy, Quirnbach, Schultz, and Smith. 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 Ways and Means Committee on [Senate File 2398](#), and they were attached to the committee report.

WITHDRAWAL OF
GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on March 26, 2018:

I am withdrawing the name of Barbara Hovland to serve as a member of the Environmental Protection Commission from further consideration by the Senate.

Sincerely,
KIM REYNOLDS
Governor

GOVERNOR'S DEFERRAL LETTER

The following letter from the Governor was received in the office of the Secretary of the Senate on March 26, 2018:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Environmental Protection Commission, formerly held by Barbara Hovland. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Sincerely,
KIM REYNOLDS
Governor

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 2117](#), the following correction was made:

1. Page 3, line 14, changed the uppercase “J” to lowercase “j” in the word “justice”.

W. CHARLES SMITHSON
Secretary of the Senate

AMENDMENTS FILED

S-5181	S.F. 2347	House
S-5182	S.F. 475	House
S-5183	H.F. 2253	Jake Chapman
S-5184	H.F. 2342	Kevin Kinney
S-5185	H.F. 2342	Kevin Kinney
S-5186	H.F. 2342	Julian B. Garrett
S-5187	S.F. 2173	Brad Zaun
S-5188	S.F. 2364	Tim Kraayenbrink