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**STATE OF IOWA**

**Senate Journal**

**TUESDAY, APRIL 24, 2018**

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# JOURNAL OF THE SENATE

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ONE HUNDRED SEVENTH CALENDAR DAY  
SIXTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, April 24, 2018

The Senate met in regular session at 10:06 a.m., Senator Chapman presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

## PLEDGE OF ALLEGIANCE

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

The Journal of Monday, April 23, 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 23, 2018, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

**House File 2372**, a bill for an act concerning county supervisor representation and districting plans.

ALSO: That the House has on April 23, 2018, **amended and passed** the following bill in which the concurrence of the Senate is asked:

**Senate File 2353**, a bill for an act relating to the membership and duties of the state and local workforce development boards and related responsibilities of the department of workforce development and including effective date provisions. ([S-5252](#))

ALSO: That the House has on April 23, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2483](#), a bill for an act relating to programs and activities under the purview of the department of human services.

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

[House File 2487](#), a bill for an act relating to the assessment of an agricultural property offense surcharge on criminal offenses involving crops, livestock, or honeybees and making an appropriation.

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

#### SPECIAL GUESTS

Senator Kapucian introduced to the Senate chamber a delegation from the Kenyan Parliamentary Service Commission led by the Honorable Dr. Naomi Shaban.

Dr. Shaban introduced her delegation and addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

#### RECESS

On motion of Senator Sinclair, the Senate recessed at 10:19 a.m. until 1:00 p.m.

#### APPENDIX—1

##### CERTIFICATE OF RECOGNITION

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

Roy Jacob Schindler, Davenport—Upon his graduation, Magna Cum Laude, from Norwich University in Northfield, Vermont. Senator Lykam.

## REPORT OF COMMITTEE MEETING

## WAYS AND MEANS

**Convened:** Monday, April 23, 2018, 2:15 p.m.

**Recessed:** 2:20 p.m.

**Reconvened:** 2:50 p.m.

**Members Present:** Feenstra, Chair; Behn, Vice Chair; Jochum, Ranking Member; Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, Quirmbach, Schultz, and Smith.

**Members Absent:** McCoy (excused).

**Committee Business:** SFs 2074, 2152, and 2372.

**Adjourned:** 3:20 p.m.

## INTRODUCTION OF BILLS

[Senate File 2405](#), by committee on Ways and Means, a bill for an act relating to the regulation of medical cannabidiol, by altering the list of debilitating medical conditions and changing the definition of medical cannabidiol under the medical cannabidiol Act, and exempting sales of medical cannabidiol products from Iowa sales tax.

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

[Senate File 2406](#), by committee on Ways and Means, a bill for an act relating to the transferability of investment tax credits issued to eligible housing businesses under the enterprise zone program, including effective date and retroactive applicability provisions.

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

## FINAL COMMITTEE REPORTS OF BILL ACTION

## WAYS AND MEANS

**Bill Title:** [SENATE FILE 2405](#) (formerly [SF 2372](#)), a bill for an act relating to the regulation of medical cannabidiol, by altering the list of debilitating medical conditions and changing the definition of medical cannabidiol under the medical cannabidiol Act, and exempting sales of medical cannabidiol products from Iowa sales tax.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Feenstra, Behn, Jochum, Bolkcom, Brown, Dotzler, Edler, Hogg, Quirnbach, Schultz, and Smith. Nays, 3: Breitbach, Carlin, and Dawson. Absent, 1: McCoy.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## ALSO:

**Bill Title:** [SENATE FILE 2406](#) (formerly [SF 2152](#)), a bill for an act relating to the transferability of investment tax credits issued to eligible housing businesses under the enterprise zone program, including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Feenstra, Behn, Jochum, Bolkcom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, Quirnbach, Schultz, and Smith. Nays, none. Absent, 1: McCoy.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## RECONVENED

The Senate reconvened at 1:13 p.m., President Schneider presiding.

The Senate stood at ease at 1:14 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 2:55 p.m., President Schneider presiding.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Boulton and D. Johnson, until they arrive, on request of Senator Bolkcom; and Senators Bertrand, Zaun, and Zumbach, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILL  
(Ways and Means Calendar)

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

[Senate File 2390](#)

On motion of Senator Feenstra, [Senate File 2390](#), a bill for an act relating to licensure and regulation for the hotel sanitation code, home bakeries, and food establishments and food processing plants, modifying fees and penalties, and including effective date provisions, was taken up for consideration.

Senator Feenstra offered amendment [S-5255](#), filed by him from the floor to pages 2, 5, and 8 of the bill, and moved its adoption.

Amendment [S-5255](#) was adopted by a voice vote.

With the adoption of amendment [S-5255](#), the Chair ruled amendment [S-5253](#), filed by Senator Feenstra from the floor, to pages 5 and 8 of the bill, out of order.

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?" ([S.F. 2390](#)), the vote was:

Yeas, 42:

Allen	Dotzler	Johnson, C.	Rozenboom
Behn	Dvorsky	Kapucian	Schneider
Bisignano	Edler	Kinney	Schultz
Bolkcom	Feenstra	Kraayenbrink	Segebart
Breitbach	Garrett	Lofgren	Shipley

Brown	Greene	Lykam	Sinclair
Carlin	Guth	Mathis	Smith
Chelgren	Hart	McCoy	Sweeney
Costello	Hogg	Petersen	Whitver
Danielson	Horn	Quirnbach	
Dawson	Jochum	Ragan	

Nays, 3:

Bowman	Chapman	Taylor
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Absent, 5:

Bertrand	Johnson, D.	Zumbach
Boulton	Zaun	

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 2227](#)

Senator Whitver called up for consideration [Senate File 2227](#), a bill for an act relating to the publication of county resolutions, amended by the House in House amendment [S-5251](#), filed April 17, 2018.

Senator Garrett 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 Garrett 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. 2227](#)), the vote was:

Yeas, 45:

Allen	Dawson	Johnson, C.	Schneider
Behn	Dotzler	Kapucian	Schultz
Bisignano	Dvorsky	Kinney	Segebart

Bolkcom	Edler	Kraayenbrink	Shipley
Bowman	Feenstra	Lofgren	Sinclair
Breitbach	Garrett	Lykam	Smith
Brown	Greene	Mathis	Sweeney
Carlin	Guth	McCoy	Taylor
Chapman	Hart	Petersen	Whitver
Chelgren	Hogg	Quirnbach	
Costello	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, none.

Absent, 5:

Bertrand	Johnson, D.	Zumbach
Boulton	Zaun	

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 Files 2227** and **2390** be **immediately messaged** to the House.

#### CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Whitver called up the appointment of Bradley Earp as a member of the member of the Board of Physical and Occupational Therapy, placed on the Individual Confirmation Calendar on February 26, 2018, found on page 446 of the Senate Journal.

Senator Chapman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 44:

Allen	Danielson	Horn	Quirnbach
Behn	Dawson	Jochum	Ragan
Bisignano	Dotzler	Johnson, C.	Rozenboom
Bolkcom	Dvorsky	Kapucian	Schneider
Bowman	Edler	Kinney	Schultz
Breitbach	Feenstra	Kraayenbrink	Segebart



Brown	Garrett	Lofgren	Shipley
Carlin	Greene	Lykam	Sinclair
Chapman	Guth	Mathis	Smith
Chelgren	Hart	McCoy	Sweeney
Costello	Hogg	Petersen	Whitver

Nays, 1:

Taylor

Absent, 5:

Bertrand	Johnson, D.	Zumbach
Boulton	Zaun	

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

### ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 3:30 p.m. until 9:00 a.m., Wednesday, April 25, 2018.

### APPENDIX—2

#### CERTIFICATES OF RECOGNITION

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

Bethel African Methodist Episcopal Church, Iowa City—For celebrating their 150<sup>th</sup> anniversary. Senator Dvorsky.

Marilyn and Robert Everding, Maquoketa—For celebrating their 50<sup>th</sup> wedding anniversary. Senator Bowman.

Rape Victim Advocacy Program of Iowa City—For celebrating their 45<sup>th</sup> anniversary. Senator Dvorsky.

Dave Stannard, Coralville—For his 43 years of service as a firefighter and chief. Senator Dvorsky.

## INTRODUCTION OF BILLS

[Senate File 2407](#), by committee on Ways and Means, a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions.

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

[Senate File 2408](#), by committee on Government Oversight, a bill for an act concerning the issuance of temporary permits to practice cosmetology arts and sciences under certain circumstances, and including effective date provisions.

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

## FINAL COMMITTEE REPORTS OF BILL ACTION

## GOVERNMENT OVERSIGHT

**Bill Title:** [SENATE FILE 2408 \(SSB 3212\)](#), a bill for an act concerning the issuance of temporary permits to practice cosmetology arts and sciences under certain circumstances, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 4: Breitbach, Sinclair, Hogg, and Lofgren. Nays, none. Absent, 1: McCoy.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## WAYS AND MEANS

**Bill Title:** \*[SENATE FILE 2407](#) (formerly [SF 2074](#)), a bill for an act modifying the rebate of sales and use tax to the owner or operator of a raceway facility and including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Feenstra, Jochum, Bolkom, Breitbach, Brown, Carlin, Dawson, Dotzler, Edler, Hogg, Schultz, and Smith. Nays, 2: Behn and Quirmbach. Absent, 1: McCoy.

**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 2407](#), and they were attached to the committee report.

AMENDMENTS FILED

<a href="#">S-5252</a>	<a href="#">S.F. 2353</a>	House
<a href="#">S-5253</a>	<a href="#">S.F. 2390</a>	Randy Feenstra
<a href="#">S-5254</a>	<a href="#">H.F. 2377</a>	Thomas A. Greene
<a href="#">S-5255</a>	<a href="#">S.F. 2390</a>	Randy Feenstra