# **PROOF**

# STATE OF IOWA

# **House Journal**

**WEDNESDAY, APRIL 4, 2018** 

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# JOURNAL OF THE HOUSE

Eighty-seventh Calendar Day - Sixtieth Session Day

Hall of the House of Representatives Des Moines, Iowa, Wednesday, April 4, 2018

The House met pursuant to adjournment at 8:33 a.m., Fisher of Tama in the chair.

Prayer was offered by Pastor Marcy Campbell, First Presbyterian Church, Ottumwa. She was the guest of Gaskill of Wapello.

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Bailey Veatch, Page from Ottumwa.

The Journal of Tuesday, April 3, 2018, was approved.

On motion by Klein of Washington, the House was recessed at 8:40 a.m., until 3:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 3:15 p.m., Windschitl of Harrison in the chair.

# MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 4, 2018, amended and passed the following bill in which the concurrence of the House is asked:

<u>House File 637</u>, a bill for an act relating to state government operations concerning background checks and investigations of employees of the office of the chief information officer and the credit union division and eliminating the technology advisory council.

Also: That the Senate has on April 4, 2018, amended and passed the following bill in which the concurrence of the House is asked:

<u>House File 2442</u>, a bill for an act providing for brain injury policies for certain extracurricular interscholastic activities, and including applicability provisions.

Also: That the Senate has on April 4, 2018, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2391</u>, a bill for an act relating to the charging of fees relating to copies of adoption decrees and certifications of adoption delivered by the clerk of court to specified entities.

Also: That the Senate has on April 4, 2018, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2398</u>, 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.

W. CHARLES SMITHSON, Secretary

# CONSIDERATION OF BILL Unfinished Business Calendar

House File 2270, a bill for an act relating to kidnapping in the second degree, and providing penalties, was taken up for consideration.

# SENATE FILE 2230 SUBSTITUTED FOR HOUSE FILE 2270

Paustian of Scott asked and received unanimous consent to substitute Senate File 2230 for House File 2270.

<u>Senate File 2230</u>, a bill for an act relating to kidnapping in the second degree, and providing penalties, was taken up for consideration.

Olson of Polk offered amendment  $\underline{H-8360}$  filed by him from the floor and moved its adoption.

Roll call was requested by Olson of Polk and Prichard of Floyd.

Rule 75 was invoked.

On the question "Shall amendment <u>H-8360</u> be adopted?" (S.F. 2230)

The ayes were, 47:

Abdul-Samad Anderson Baudler Bearinger
Bennett Breckenridge Brown-Powers Cohoon
Finkenauer Forbes Gaines Gaskill

Hall Heddens Hager Hunter Isenhart Jacoby Kacena Kearns Kurth Mascher Kressig Lensing McConkey McKean Miller, P. Meyer Nielsen Oldson Olson Ourth Pettengill Prichard Running-Marquardt Sheets Smith, M. Smith, R. Steckman Staed Vander Linden Taylor, T. Thede Watts Wessel-Kroeschell Winckler Wolfe

The nays were, 51:

Bacon Baltimore Baxter Bergan Bloomingdale Bossman Carlson Best Fisher Cownie Deyoe Dolecheck Gassman Grassley Gustafson Hagenow Hanusa Heartsill Heaton Hein Highfill Hinson Holt Holz Huseman Jacobsen Jones Kaufmann Landon Klein Koester Kerr Lundgren Maxwell Mohr Mommsen Moore Nunn Paustian Rizer Salmon Sexton Sieck Rogers Taylor, R. Upmeyer, Spkr. Wheeler Wills Worthan Windschitl, Zumbach Presiding

Absent or not voting, 2:

Fry Miller, H.

Amendment H-8360 lost.

Wolfe of Clinton offered amendment H-8361 filed by her.

Paustian of Scott rose on a point of order that amendment <u>H–8361</u> was not germane.

The Speaker ruled the point well taken and amendment  $\underline{\text{H-8361}}$  not germane.

Wolfe of Clinton asked for unanimous consent to suspend the rules to consider amendment  $\underline{H-8361}$ .

Objection was raised.

Wolfe of Clinton moved to suspend the rules to consider amendment H-8361.

Roll call was requested by Wolfe of Clinton and Baltimore of Boone.

On the question "Shall the rules be suspended to consider amendment H-8361?" (S.F. 2230)

The ayes were, 42:

Abdul-Samad Anderson Bearinger Bennett Breckenridge Brown-Powers Cohoon Finkenauer Forbes Gaines Gaskill Hall Heddens Hunter Isenhart Jacoby Kacena Kaufmann Kearns Kressig McConkey Kurth Lensing Mascher Meyer Miller, P. Mommsen Nielsen Prichard Oldson Olson Ourth Running-Marquardt Smith, M. Smith, R. Staed Steckman Taylor, T. Wessel-Kroeschell Thede

Winckler Wolfe

The nays were, 56:

Bacon Baltimore Baudler Baxter Bloomingdale Bossman Bergan Best Carlson Cownie Deyoe Dolecheck Fisher Gassman Grassley Gustafson Hagenow Hager Hanusa Heartsill Heaton Highfill Hinson Hein Jacobsen Holt Holz Huseman Klein Koester Jones Kerr Landon Lundgren Maxwell McKean Mohr Moore Nunn Paustian Pettengill Rizer Rogers Salmon Sheets Sexton Sieck Taylor, R. Upmeyer, Spkr. Vander Linden Watts Wheeler Wills Worthan Zumbach Windschitl, Presiding

Absent or not voting, 2:

Fry Miller, H.

The motion to suspend the rules lost.

Paustian of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2230)

The ayes were, 82:

Bacon Baltimore Baxter Bearinger Bloomingdale Bennett Bergan Best Breckenridge Brown-Powers Carlson Bossman DolecheckCohoon Cownie Deyoe Gaskill Finkenauer Fisher Forbes Gassman Grasslev Gustafson Hagenow Hall HeartsillHager Hanusa Heaton Heddens Hein Highfill Hinson Holt Holz Huseman Isenhart Jacobsen Kacena Jones Koester Kaufmann  $\operatorname{Kerr}$ Klein Kressig Kurth Landon Lundgren Maxwell McConkey McKean Meyer Miller, P. Moore Mohr Mommsen Nielsen Nunn Ourth Paustian Pettengill Prichard Rizer Rogers Running-Marquardt Sexton Sheets Salmon Sieck Smith, M. Smith, R. Staed Upmeyer, Spkr. Vander Linden Taylor, R. Thede Watts Wheeler Wills Worthan Zumbach Windschitl, Presiding

The nays were, 16:

Abdul-Samad Anderson Baudler Gaines Hunter Jacoby Kearns Lensing Mascher Olson Steckman Oldson Taylor, T. Wessel-Kroeschell Winckler Wolfe

Absent or not voting, 2:

Fry Miller, H.

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

# SENATE AMENDMENTS CONSIDERED House Concurred

Lundgren of Dubuque called up for consideration <u>House File 2234</u>, a bill for an act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property, amended by the Senate amendment <u>H-8264</u>.

McKean of Jones offered amendment  $\underline{H-8314}$ , to the Senate amendment  $\underline{H-8264}$ , filed by him.

Prichard of Floyd rose on a point of order that amendment  $\underline{H-8314}$  was not germane, to the Senate amendment  $\underline{H-8264}$ .

The Speaker ruled the point well taken and amendment  $\underline{H-8314}$  not germane, to the Senate amendment  $\underline{H-8264}$ .

McKean of Jones asked for unanimous consent to suspend the rules to consider amendment  $\underline{H-8314}$ , to the Senate amendment  $\underline{H-8264}$ .

Objection was raised.

McKean of Jones moved to suspend the rules to consider amendment  $\underline{H-8314}$ , to the Senate amendment  $\underline{H-8264}$ .

Roll call was requested by Prichard of Floyd and Jacoby of Johnson.

On the question "Shall the rules be suspended to consider amendment <u>H-8314</u>, to the Senate amendment <u>H-8264?</u>" (H.F. 2234)

The ayes were, 63:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingdale	Bossman
Brown-Powers	Carlson	Cownie	Deyoe
Dolecheck	Fisher	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Isenhart	Jacobsen	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Meyer
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
$Running\hbox{-}Marquardt$	Salmon	Sexton	Sheets

Sieck Steckman Taylor, R. Upmeyer, Spkr. Watts Wheeler Wills Wolfe Worthan Zumbach Windschitl,
Presiding

The nays were, 35:

Abdul-Samad Anderson Bearinger Bennett Breckenridge Cohoon Finkenauer Forbes Gaskill Hall Heddens Gaines Hunter Jacoby Kacena Kearns Kurth Mascher Kressig Lensing McConkey Nielsen Oldson Miller, P. Olson Ourth Prichard Smith, M. Smith, R. Staed Taylor, T. Thede Vander Linden Wessel-Kroeschell Winckler

Absent or not voting, 2:

Fry Miller, H.

The motion to suspend the rules prevailed.

McKean of Jones moved the adoption of amendment  $\underline{H-8314}$ , to the Senate amendment  $\underline{H-8264}$ .

Roll call was requested by M. Smith of Marshall and Bearinger of Fayette.

On the question "Shall amendment  $\underline{H-8314}$ , to the Senate amendment  $\underline{H-8264}$ , be adopted?" (S.F. 2234)

The ayes were, 81:

Baudler Bacon Baltimore Baxter Bearinger Bergan Best Bloomingdale Bossman Breckenridge Brown-Powers Carlson Cohoon Cownie Dolecheck Deyoe Finkenauer Fisher Forbes Gassman Hagenow Hager Grassley Gustafson Hall Hanusa Heartsill Heaton Heddens Hein Highfill Hinson Jacobsen Holt Holz Huseman Jacoby Jones Kacena Kaufmann Kearns Kerr Klein Koester Kressig Kurth Landon Lundgren Maxwell Meyer McConkey McKean Nielsen Mohr Mommsen Moore Paustian Nunn Olson Ourth Pettengill Rizer Rogers Running-Marquardt Salmon Sexton Sheets Sieck Taylor, R. Smith, M. Staed Steckman

Upmeyer, Spkr. Vander Linden Watts Wheeler Wills Wolfe Worthan Zumbach Windschitl,

Presiding

The nays were, 17:

Abdul-Samad Anderson Bennett Gaines Gaskill Hunter Lensing Isenhart Mascher Miller, P. Oldson Prichard Wessel-Kroeschell Smith, R. Taylor, T. Thede

Winckler

Absent or not voting, 2:

Fry Miller, H.

Amendment <u>H-8314</u>, to the Senate amendment <u>H-8264</u>, was adopted.

Wolfe of Clinton offered amendment  $\underline{H-8324}$ , to the Senate amendment  $\underline{H-8264}$ , filed by her.

Lundgren of Dubuque rose on a point of order that amendment  $\underline{\text{H-8324}}$  was not germane, to the Senate amendment  $\underline{\text{H-8264}}$ .

The Speaker ruled the point well taken and amendment <u>H-8324</u> not germane, to the Senate amendment <u>H-8264</u>.

Wolfe of Clinton asked for unanimous consent to suspend the rules to consider amendment  $\underline{H-8324}$ , to the Senate amendment  $\underline{H-8264}$ .

Objection was raised.

Wolfe of Clinton moved to suspend the rules to consider amendment H–8324, to the Senate amendment H–8264.

Roll call was requested by Wolfe of Clinton and Steckman of Cerro Gordo.

On the question "Shall the rules be suspended to consider amendment  $\underline{H-8324}$ , to the Senate amendment  $\underline{H-8264}$ ?" ( $\underline{H.F.~2234}$ )

The ayes were, 43:

Abdul-Samad Anderson Bearinger Bennett Brown-Powers Cohoon Finkenauer Breckenridge Forbes Gaines Gaskill Hall Heddens Highfill Huseman Hunter Isenhart Jacoby Kearns Kacena Koester Kressig Kurth Lensing Mascher McConkey Miller, P. Meyer Nielsen Oldson Olson Ourth Smith, M. Smith, R. Prichard Running-Marquardt Staed Steckman Taylor, T. Thede Wessel-Kroeschell Winckler Wolfe

The nays were, 55:

Bacon Baltimore Baudler Baxter Bergan Best Bloomingdale Bossman Carlson Cownie Deyoe Dolecheck Gustafson Fisher Gassman Grassley Hagenow Hager Hanusa Heartsill Holt Heaton Hein Hinson Holz Jacobsen Kaufmann Jones Kerr Klein Landon Lundgren Mommsen Maxwell McKean Mohr Moore Nunn Paustian Pettengill Rizer Rogers Salmon Sexton Sieck Taylor, R. Upmeyer, Spkr. Sheets Vander Linden Watts Wheeler Wills Worthan Zumbach Windschitl,

Absent or not voting, 2:

Fry Miller, H.

The motion to suspend the rules lost.

McConkey of Pottawattamie offered amendment  $\underline{H-8329}$ , to the Senate amendment  $\underline{H-8264}$ , filed by him and moved its adoption.

Presiding

Roll call was requested by McConkey of Pottawattamie and M. Smith of Marshall.

On the question "Shall amendment  $\underline{H-8329}$ , to the Senate amendment  $\underline{H-8264}$ , be adopted?" ( $\underline{H.F.~2234}$ )

The ayes were, 39:

Abdul-Samad Anderson Bearinger Bennett Breckenridge Brown-Powers Cohoon Finkenauer Forbes Gaines Gaskill Hall Heddens Hunter Isenhart Jacoby Kacena Kurth Kearns Kressig Lensing Mascher McConkey Meyer Miller, P. Nielsen Oldson Olson Ourth Prichard Smith, M. Smith, R. Staed Taylor, T. Steckman Thede Wolfe Wessel-Kroeschell Winckler

The nays were, 59:

Bacon Baltimore Baudler Baxter Bloomingdale Bossman Bergan Best Carlson Cownie Devoe Dolecheck Fisher Gassman Grassley Gustafson Heartsill Hagenow Hager Hanusa Heaton Hein Highfill Hinson Jacobsen Holt Holz Huseman Kaufmann Klein Jones Kerr Koester Landon Lundgren Maxwell McKean Mohr Mommsen Moore Nunn Paustian Pettengill Rizer Rogers Running-Marquardt Salmon Sexton Sheets Sieck Taylor, R. Upmeyer, Spkr. Vander Linden Watts Wheeler Wills Worthan Zumbach Windschitl, Presiding

Absent or not voting, 2:

Fry Miller, H.

Amendment H-8329, to the Senate amendment H-8264, lost.

Lundgren of Dubuque moved that the House concur in the Senate amendment  $\underline{H-8264}$ , as amended.

Roll call was requested by Breckenridge of Jasper and Isenhart of Dubuque.

On the question "Shall the House concur in the Senate amendment H-8264, as amended" (H.F. 2234)

The ayes were, 89:

Abdul-Samad Anderson Bacon Baltimore Bennett Baudler Baxter Bearinger Bergan Best Bloomingdale Bossman Breckenridge Brown-Powers Cohoon Carlson Dolecheck Finkenauer Cownie Devoe Fisher Forbes Gaines Gaskill Grassley Hagenow Gassman Gustafson Hager Hall Hanusa Heartsill Highfill Heddens Heaton Hein Hinson Holt Holz Huseman Isenhart Jacobsen Jacoby Jones Kaufmann Kacena Kearns Kerr Klein Koester Kressig Kurth Landon Lundgren Maxwell McConkey Miller, P. McKean  ${\rm Meyer}$ MohrMommsen Moore Nielsen Nunn Ourth Paustian Pettengill Prichard Rizer Rogers Running-Marquardt Salmon Sexton Sheets Sieck Smith, M. Smith, R. Staed Steckman Taylor, R. Upmeyer, Spkr. Vander Linden Watts Wheeler Wills Wolfe Worthan Zumbach Windschitl,

Windschitl, Presiding

The nays were, 9:

Hunter Lensing Mascher Oldson

Olson Taylor, T. Thede Wessel-Kroeschell

Winckler

Absent or not voting, 2:

Fry Miller, H.

The motion prevailed and the House concurred in the Senate amendment H-8264, as amended.

Lundgren of Dubuque moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2234)

The ayes were, 79:

Bacon Baltimore Baudler Baxter Bearinger Bennett Bergan Best Bloomingdale Bossman Breckenridge **Brown-Powers** Cohoon Carlson Cownie Deyoe Dolecheck Finkenauer Fisher Forbes Gassman Grassley Gustafson Hagenow Hall Heartsill Hager Hanusa Heaton Heddens Hein Highfill Hinson Holt Holz Huseman Jacobsen Jacoby Jones Kacena Kaufmann Kerr Klein Koester Landon Maxwell Kressig Lundgren Miller, P. McKean Mohr Mommsen Moore Nielsen Nunn Ourth PettengillPaustian Prichard Rizer Rogers Running-Marquardt Salmon Sexton Sheets Sieck Smith, M. Staed Taylor, R. Steckman Upmeyer, Spkr. Vander Linden Watts Wheeler Wills Wolfe Windschitl, Worthan Zumbach Presiding

The nays were, 19:

Abdul-Samad Anderson Gaines Gaskill Isenhart Kurth Hunter Kearns Lensing Mascher McConkey Meyer Oldson Olson Smith, R. Taylor, T. Wessel-Kroeschell Thede Winckler

Absent or not voting, 2:

Fry Miller, H.

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

#### House Concurred

Klein of Washington called up for consideration <u>House File 2338</u>, a bill for an act relating to temporary restricted licenses for operating-while-intoxicated offenders, providing penalties, and including applicability provisions, amended by the Senate, and moved that the House concur in the Senate amendment H–8315.

The motion prevailed and the House concurred in the Senate amendment  $\underline{H-8315}$ .

Klein of Washington moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2338)

The ayes were, 98:

Abdul-Samad Baltimore Anderson Bacon Bennett Baudler Baxter Bearinger Bloomingdale Bergan Best Bossman Breckenridge **Brown-Powers** Cohoon Carlson Cownie Devoe Dolecheck Finkenauer Gaskill Fisher Forbes Gaines Gassman Grassley Gustafson Hagenow Hager Hall Hanusa Heartsill Highfill Heddens Hein Heaton Hinson Holt Holz Hunter Huseman Isenhart Jacobsen Jacoby Jones Kacena Kaufmann Kearns Kerr Klein Koester Kressig Kurth Landon Lensing Lundgren Mascher Maxwell McConkey McKean Mommsen Meyer Miller, P. Mohr Moore Nielsen Nunn Oldson Ourth Pettengill Olson Paustian Prichard Rizer Rogers Running-Marquardt Salmon Sexton Sheets Sieck Smith, M. Smith, R. Staed Steckman Taylor, R. Taylor, T. Thede Upmeyer, Spkr. Vander Linden Wessel-Kroeschell Wheeler Watts Winckler Wills Wolfe Worthan Zumbach Windschitl, Presiding

The nays were, none.

Absent or not voting, 2:

Fry Miller, H.

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

# INTRODUCTION OF BILLS

House File 2482, by committee on Appropriations, a bill for an act requiring the department of management to establish and operate a searchable internet site containing budget, audit, and financial information of school districts.

Read first time and placed on the **Appropriation calendar**.

<u>House File 2483</u>, by committee on Appropriations, a bill for an act relating to programs and activities under the purview of the department of human services.

Read first time and placed on the Appropriations calendar.

#### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2234, 2338** and **Senate File 2230.** 

# HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House File 2270 from further consideration by the House.

#### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Fry of Clarke

Miller, H. of Webster

#### BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for approval on this  $4^{\rm th}$  day of April, 2018: <u>House File 2425</u>.

CARMINE BOAL Chief Clerk of the House

# HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 678** 

Appropriations: Grassley, Chair; Hall and Highfill.

**House Study Bill 684** 

Appropriations: Hinson, Chair; Hall and Rogers.

#### COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

> CARMINE BOAL Chief Clerk of the House

#### COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 2278), requiring the department of management to establish and operate a searchable internet site containing revenue and expenditure data of school districts.

Fiscal Note: No

Recommendation: Amend and Do Pass April 3, 2018.

#### COMMITTEE ON GOVERNMENT OVERSIGHT

Committee Bill (Formerly House Study Bill 685), authorizing the state building code advisory council to propose, consider, and approve or disapprove amendments and changes to the state building code.

Fiscal Note: No

Recommendation: Do Pass April 4, 2018.

Committee Bill (Formerly House Study Bill 686), authorizing the temporary sale of

merchandise at a toy benefit for Iowa children on the state capitol complex grounds.

Fiscal Note: No

Recommendation: Do Pass April 4, 2018.

# AMENDMENTS FILED

<u>H-8360</u>	S.F.	2230	Olson of Polk
<u>H-8361</u>	S.F.	2230	Wolfe of Clinton
<u>H-8362</u>	S.F.	<u>359</u>	Rizer of Linn
<u>H-8363</u>	<u>H.F.</u>	2442	Senate amendment
<u>H-8364</u>	<u>H.F.</u>	<u>637</u>	Senate amendment
<u>H-8365</u>	S.F.	2311	Forbes of Polk
<u>H-8366</u>	S.F.	2311	Oldson of Polk
<u>H-8367</u>	S.F.	2311	Forbes of Polk
<u>H-8368</u>	H.F.	2479	Zumbach of Linn
<u>H-8369</u>	S.F.	2227	McKean of Jones

On motion by Hagenow of Polk, the House adjourned at  $4:42~\rm p.m.$ , until  $8:30~\rm a.m.$ , Thursday, April 5, 2018.