# **PROOF**

# STATE OF IOWA

# **House Journal**

MONDAY, MARCH 12, 2018

Produced daily by the State of Iowa during the sessions of the General Assembly. (The official bound copy will be available after a reasonable time upon adjournment.)

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# JOURNAL OF THE HOUSE

Sixty-fourth Calendar Day - Forty-third Session Day

Hall of the House of Representatives Des Moines, Iowa, Monday, March 12, 2018

The House met pursuant to adjournment at 1:00 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Alan Mullikin, LeGrand Friends Church, LeGrand. He was the guest of Fisher of Tama.

#### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alexis Reams of Mason City. She was the guest of Speaker Upmeyer.

The Journal of Friday, March 9, 2018, was approved.

#### SPECIAL PRESENTATION

Wheeler of Scott introduced to the House, former legislator John Kooiker.

The House rose and expressed its welcome.

On motion by Hagenow of Polk, the House was recessed at 1:12 p.m., until 3:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 4:38 p.m., Windschitl of Harrison in the chair.

## CONSIDERATION OF BILLS Regular Calendar

<u>House File 2390</u>, a bill for an act relating to terminology changes in education-related Iowa Code references to foreign languages, was taken up for consideration.

Jacobsen of Pottawattamie 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?" (H.F. 2390)

The ayes were, 98:

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

The nays were, none.

Absent or not voting, 2:

Jacoby

Taylor, R.

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

<u>Senate File 360</u>, a bill for an act relating to the newborn safe haven Act, with report of committee recommending passage, was taken up for consideration.

Holt of Crawford 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. 360)

The ayes were, 98:

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

The nays were, none.

Absent or not voting, 2:

Jacoby Taylor, R.

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

<u>House File 2128</u>, a bill for an act relating to probate and the administration of small estates and including applicability provisions, was taken up for consideration.

## SENATE FILE 2099 SUBSTITUTED FOR HOUSE FILE 2128

Gustafson of Madison asked and received unanimous consent to substitute Senate File 2099 for House File 2128.

<u>Senate File 2099</u>, a bill for an act relating to probate and the administration of small estates and including applicability provisions, was taken up for consideration.

Gustafson of Madison asked and received unanimous consent to withdraw amendment <u>H–8185</u> filed by him on March 6, 2018.

Gustafson of Madison offered amendment  $\underline{H-8212}$  filed by him and moved its adoption.

Amendment <u>H-8212</u> was adopted, placing out of order, amendment H-8187 filed by Gustafson of Madison on March 6, 2018.

Gustafson of Madison 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. 2099)

The ayes were, 98:

Abdul-Samad Baltimore Anderson Bacon Baudler Bennett Baxter Bearinger Bergan Best Bloomingdale Bossman Breckenridge **Brown-Powers** Carlson Cohoon Cownie Deyoe Dolecheck Finkenauer Fisher Forbes Fry Gaines Grassley Gustafson Gaskill Gassman Hall Hagenow Hager Hanusa Heartsill Heaton Heddens Hein Highfill Hinson Holt Holz Hunter Huseman Isenhart Jacobsen Jones Kacena Kaufmann Kearns Kerr Klein Koester Kressig Kurth Landon Lensing Lundgren Mascher Maxwell McConkey McKean Miller, H. Miller, P. Mohr Meyer Mommsen Nielsen Nunn Moore Oldson Olson Ourth Paustian Pettengill Prichard Rizer Rogers Sheets Running-Marquardt Salmon Sexton

Smith, R. Sieck Smith, M. Staed

Steckman Taylor, T. Thede Upmeyer, Spkr. Wessel-Kroeschell Wheeler Vander Linden Watts Winckler Wills Wolfe Worthan

Zumbach Windschitl,

Presiding

The nays were, none.

Absent or not voting, 2:

Jacoby Taylor, R.

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

House File 2226, a bill for an act relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services, was taken up for consideration.

## SENATE FILE 2255 SUBSTITUTED FOR HOUSE FILE 2226

Bergan of Winneshiek asked and received unanimous consent to substitute Senate File 2255 for House File 2226.

Senate File 2255, a bill for an act relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services, was taken up for consideration.

Bergan of Winneshiek 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. 2255)

The ayes were, 98:

Abdul-Samad Baltimore Anderson Bacon Baudler Baxter Bearinger Bennett Bergan Best. Bloomingdale Bossman Breckenridge **Brown-Powers** Cohoon Carlson Finkenauer Cownie Deyoe Dolecheck Fisher Forbes Gaines Fry Gaskill Gassman Grassley Gustafson

Hagenow Hager Hall Hanusa Heartsill Heaton Heddens Hein Highfill Holz Hinson Holt Hunter Isenhart Jacobsen Huseman Jones Kacena Kaufmann Kearns Klein Kressig Kerr Koester Kurth Landon Lundgren Lensing Mascher Maxwell McConkey McKean Miller, H. Meyer Miller, P. Mohr Mommsen Moore Nielsen Nunn Olson Oldson Ourth Paustian Pettengill Prichard Rizer Rogers Running-Marquardt Salmon Sexton Sheets Smith, M. Smith, R. Staed Sieck Steckman Taylor, T. Thede Upmeyer, Spkr. Vander Linden Watts Wessel-Kroeschell Wheeler Wills Winckler Wolfe Worthan Zumbach Windschitl, Presiding

The nays were, none.

Absent or not voting, 2:

Jacoby

Taylor, R.

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

House File 2276, a bill for an act relating to the presence of a sex offender upon the real property of a public or nonpublic elementary or secondary school, was taken up for consideration.

Olson of Polk offered amendment  $\underline{H-8009}$  filed by him and moved its adoption.

Amendment H-8009 was adopted.

Rizer of Linn 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?" (H.F. 2276)

The ayes were, 97:

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

The nays were, 1:

Wolfe

Presiding

Absent or not voting, 2:

Jacoby Taylor, R.

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

<u>House File 2350</u>, a bill for an act requiring school employee training and protocols relating to suicide prevention and trauma-informed care, was taken up for consideration.

Moore of Cass asked and received unanimous consent to withdraw amendment H–8177 filed by him on March 5, 2018.

Moore of Cass offered amendment  $\underline{H-8204}$  filed by him and moved its adoption.

Amendment H-8204 was adopted.

# SENATE FILE 2113 SUBSTITUTED FOR HOUSE FILE 2350

Moore of Cass asked and received unanimous consent to substitute Senate File 2113 for House File 2350.

<u>Senate File 2113</u>, a bill for an act providing for school employee training relating to suicide awareness and prevention, was taken up for consideration.

Moore of Cass offered amendment  $\underline{\text{H-8206}}$  filed by him and moved its adoption.

Amendment H-8206 was adopted.

Moore of Cass 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. 2113)

The ayes were, 98:

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

Vander Linden Watts
Wills Winckler
Zumbach Windschitl,
Presiding

Wessel-Kroeschell Wheeler Wolfe Worthan

The nays were, none.

Absent or not voting, 2:

Jacoby

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

<u>House File 2404</u>, a bill for an act relating to restitution paid to the estate or heirs at law of a crime victim, was taken up for consideration.

Heartsill of Marion 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?" (H.F. 2404)

The ayes were, 98:

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

Wills Winckler Wolfe Worthan

Zumbach Windschitl, Presiding

The nays were, none.

Absent or not voting, 2:

Jacoby

Taylor, R.

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

<u>House File 2439</u>, a bill for an act relating to horse racing regulated by the racing and gaming commission, was taken up for consideration.

Highfill of Polk offered amendment  $\underline{H-8160}$  filed by him and moved its adoption.

Amendment <u>H-8160</u> was adopted.

Highfill of Polk 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?" (H.F. 2439)

The ayes were, 96:

Abdul-Samad Anderson Bacon Baltimore Baxter Bearinger Bennett Bergan Bloomingdale Best Bossman Breckenridge Brown-Powers Carlson Cohoon Cownie Deyoe Dolecheck Finkenauer Fisher Gaskill Forbes Fry Gaines Gassman Grassley Gustafson Hagenow Hager Hall Hanusa Heartsill Highfill Heaton Heddens Hein Hinson Holz Hunter Holt Isenhart Huseman Jacobsen Jones Kaufmann Kerr Kacena Kearns Klein Koester Kressig Kurth Lundgren Mascher Landon Lensing McConkey Maxwell McKean Meyer Miller, H. Miller, P. Mohr Mommsen Nunn Moore Nielsen Oldson Ourth Pettengill Olson Paustian

Prichard Rizer Rogers Running-Marquardt Salmon Sexton Sieck Smith, M. Smith, R. Taylor, T. Staed Steckman Upmeyer, Spkr. Watts Thede Vander Linden Wessel-Kroeschell Wheeler Wills Winckler Wolfe Worthan Zumbach Windschitl, Presiding

The nays were, 1:

Sheets

Absent or not voting, 3:

Baudler Jacoby Taylor, R.

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

Highfill of Polk in the chair at 5:21 p.m.

<u>Senate File 2228</u>, a bill for an act providing for the licensure of genetic counselors, making penalties applicable, and including effective date and implementation provisions, with report of committee recommending passage, was taken up for consideration.

Holt of Crawford 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. 2228)

The ayes were, 97:

Abdul-Samad Anderson Bacon Baltimore Baudler Baxter Bearinger Bennett Bloomingdale Bossman Bergan Best Breckenridge Brown-Powers Carlson Cohoon Cownie Deyoe Dolecheck Finkenauer Fisher Forbes Fry Gaines Gaskill Gassman Grassley Gustafson Hagenow Hager Hall Hanusa Heartsill Heaton Heddens Hein Hinson Holt Holz Hunter Isenhart Jacobsen Huseman Jones Kaufmann Kearns Kerr Kacena Klein Koester Kressig Kurth Lundgren Mascher Landon Lensing McConkey McKean Meyer Maxwell

Miller, H. Miller, P. Mohr Mommsen Moore Nielsen Nunn Oldson Prichard Olson Ourth Paustian Salmon Rizer Rogers Running-Marquardt Sexton Sheets Sieck Smith, M. Smith, R. Staed Steckman Taylor, T. Upmeyer, Spkr. Vander Linden Watts Thede Wessel-Kroeschell Winckler Wheeler Wills Windschitl Wolfe Worthan Zumbach Highfill,

The nays were, 1:

Pettengill

Presiding

Absent or not voting, 2:

Jacoby

Taylor, R.

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

House File 2314, a bill for an act permitting cities to charge certain fireworks violations as municipal infractions, and making penalties applicable, was taken up for consideration.

Windschitl of Harrison offered amendment  $\underline{H-8107}$  filed by him and moved its adoption.

Amendment <u>H-8107</u> was adopted.

Windschitl of Harrison 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?" (H.F. 2314)

The ayes were, 96:

Abdul-Samad Anderson Bacon Baltimore Baxter Bearinger Bennett Bergan Breckenridge Bloomingdale Bossman Best **Brown-Powers** Carlson Cohoon Cownie Deyoe Dolecheck Finkenauer Fisher Gaskill Forbes Fry Gaines Gassman Grassley Gustafson Hagenow

Hall Heartsill Hager Hanusa Heaton Heddens Hein Hinson Huseman Holt Holz Hunter Jacobsen Kacena Isenhart Jones Kaufmann Kearns Kerr Klein Kurth Landon Koester Kressig Lundgren McConkey Lensing Mascher McKean Meyer Miller, H. Miller, P. Mohr Nielsen Mommsen Moore Nunn Oldson Olson Ourth Pettengill Prichard Rizer Paustian Rogers Running-Marquardt Salmon Sexton Sheets Sieck Smith, M. Smith, R. Staed Steckman Taylor, T. Thede Wessel-Kroeschell Upmeyer, Spkr. Vander Linden Watts Wheeler Wills Winckler Windschitl Highfill, Worthan Wolfe Zumbach Presiding

The nays were, 2:

Baudler Maxwell

Absent or not voting, 2:

Jacoby Taylor, R.

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

#### IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2276**, 2314, 2390, 2404, 2439 and **Senate Files 360**, 2099, 2113, 2228 and 2255.

#### HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 352, 444, 600, 2059, 2077, 2090, 2128, 2148, 2176, 2226 and 2350 from further consideration by the House.

#### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Jacoby of Johnson

Taylor, R. of Dallas

#### 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 March 12, 2018, passed the following bill in which the concurrence of the Senate was asked:

<u>House File 2303</u>, a bill for an act relating to the duties of and programs administered by the department of natural resources, and making penalties applicable.

Also: That the Senate has on March 12, 2018, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2241</u>, a bill for an act relating to the commission of a parole violation or a criminal offense while on parole.

Also: That the Senate has on March 12, 2018, passed the following bill in which the concurrence of the House is asked:

 $\underline{\text{Senate File } 2247}$ , a bill for an act relating to grandparent and great-grandparent visitation.

Also: That the Senate has on March 12, 2018, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2321</u>, a bill for an act relating to persons going armed with portable devices or weapons that direct an electronic current, and providing penalties.

Also: That the Senate has on March 12, 2018, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2326</u>, a bill for an act relating to the coordination of enforcement activities between the department of transportation and the department of public safety, including provisions relating to department of transportation employees designated as peace officers, and including effective date provisions.

Also: That the Senate has on March 12, 2018, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2366</u>, a bill for an act concerning the department of veterans affairs relating to membership on the commission of veterans affairs and expenditures from the veterans trust fund.

Also: That the Senate has on March 12, 2018, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2369</u>, a bill for an act relating to a person's county of residence as the basis for determining financial responsibility for certain human services programs and treatment or support services.

Also: That the Senate has on March 12, 2018, passed the following bill in which the concurrence of the House is asked:

<u>Senate File 2374</u>, a bill for an act relating to the awarding of joint custody and joint physical care.

W. CHARLES SMITHSON, Secretary

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENT

#### H.S.B. 679 Ways and Means

Relating to fees charged by counties for the administration of commercial driver's license skills tests.

#### SUBCOMMITTEE ASSIGNMENTS

#### **Senate Joint Resolution 2006**

State Government: Baltimore, Chair; Kaufmann and Steckman.

#### Senate File 2346

State Government: Rizer, Chair; Hunter and Pettengill.

#### Senate File 2355

State Government: Rizer, Chair; Kaufmann and Lensing.

#### AMENDMENTS FILED

| H - 8250 | S.F.        | 2329 | Vander Linden of Mahaska |
|----------|-------------|------|--------------------------|
|          |             |      | Pettengill of Benton     |
| H - 8251 | <u>H.F.</u> | 2469 | Sexton of Calhoun        |
| H - 8252 | H.F.        | 2469 | Steckman of Cerro Gordo  |
| H - 8253 | H.F.        | 2458 | Best of Carroll          |
| H - 8254 | H.F.        | 2394 | Olson of Polk            |
| H - 8255 | H.F.        | 2394 | Olson of Polk            |
| H - 8256 | <u>H.F.</u> | 2394 | Olson of Polk            |
|          |             |      |                          |

On motion by Hagenow of Polk, the House adjourned at 5:32 p.m., until 8:30 a.m., Tuesday, March 13, 2018.