

PROOF

STATE OF IOWA

Senate Journal

MONDAY, APRIL 30, 2018

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JOURNAL OF THE SENATE

ONE HUNDRED THIRTEENTH CALENDAR DAY
SIXTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 30, 2018

The Senate met in regular session at 10:04 a.m., President Schneider presiding.

Prayer was offered by the Honorable Jake Chapman, member of the Senate from Dallas County, Adel, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jakem Ostrander.

The Journal of Friday, April 27, 2018, was approved.

The Senate stood at ease at 10:06 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:01 p.m., President Schneider presiding.

QUORUM CALL

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

The vote revealed 45 present, 5 absent, and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Zumbach, until he arrives, on request of Senator Whitver; and Senator D. Johnson, until he arrives, on request of Senator Petersen.

HOUSE AMENDMENTS CONSIDERED

[Senate File 2353](#)

Senator Whitver called up for consideration [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, amended by the House in House amendment [S-5252](#), filed April 24, 2018.

Senator Brown 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 Brown 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. 2353](#)), the vote was:

Yeas, 46:

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

Nays, 2:

Bisignano	Taylor
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Absent, 2:

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

[Senate File 2311](#)

Senator Whitver called up for consideration [Senate File 2311](#), a bill for an act modifying various provisions relating to public utilities, amended by the House in House amendment [S-5256](#), filed April 27, 2018.

Senator Hogg offered amendment [S-5260](#), filed by him from the floor to pages 4 and 11 of House amendment [S-5256](#).

Senator Hogg asked and received unanimous consent that action on amendment [S-5260](#) to House amendment [S-5256](#), House amendment [S-5256](#), and [Senate File 2311](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate File 2353](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [House File 2377](#).

[House File 2377](#)

On motion of Senator Greene, [House File 2377](#), a bill for an act relating to the regulation of the practice of pharmacy, providing penalties, 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 Greene offered amendment [S-5254](#), filed by him on April 24, 2018, to pages 1, 13, and 16 of the bill, and moved its adoption.

Amendment [S-5254](#) was adopted by a voice vote.

With the adoption of amendment [S-5254](#), the Chair ruled amendment [S-5234](#), filed by Senator Greene on April 10, 2018, to page 1 of the bill, out of order.

Senator Costello withdrew amendment [S-5236](#), filed by him on April 11, 2018, to pages 2 and 16 of the bill.

Senator Greene withdrew amendment [S-5141](#), filed by him on March 12, 2018, to page 4 of the bill.

Senator Jochum offered amendment [S-5265](#), filed by her from the floor to page 14 and amending the title page of the bill.

Senator Chapman raised the point of order that amendment [S-5265](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5265](#) out of order.

Senator Greene withdrew amendment [S-5233](#), filed by him on April 10, 2018, to page 23.

Senator Dawson asked and received unanimous consent that action on [House File 2377](#) be **deferred**.

BUSINESS PENDING

[House File 2377](#)

The Senate resumed consideration of [House File 2377](#), a bill for an act relating to the regulation of the practice of pharmacy, providing penalties, and including effective date provisions, previously deferred.

Senator Dawson offered amendment [S-5267](#), filed by him from the floor to pages 1, 2, and 16 of the bill, and moved its adoption.

Amendment [S-5267](#) was adopted by a voice vote.

Senator Greene 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. 2377](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Johnson, D. Zumbach

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 File 2377](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 2407](#).

[Senate File 2407](#)

On motion of Senator Feenstra, [Senate File 2407](#), 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, was taken up for consideration.

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. 2407](#)), the vote was:

Yeas, 40:

Allen	Dvorsky	Johnson, C.	Schneider
Bertrand	Edler	Kapucian	Schultz
Bolkcom	Feenstra	Kinney	Segebart
Boulton	Garrett	Kraayenbrink	Shipley
Breitbach	Greene	Lofgren	Sinclair
Brown	Guth	Lykam	Smith
Costello	Hart	McCoy	Sweeney
Danielson	Hogg	Petersen	Taylor
Dawson	Horn	Ragan	Whitver
Dotzler	Jochum	Rozenboom	Zaun

Nays, 8:

Behn	Bowman	Chapman	Mathis
Bisignano	Carlin	Chelgren	Quirmbach

Absent, 2:

Johnson, D.	Zumbach
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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 2407](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Whitver, the Senate recessed at 3:28 p.m. until 6:00 p.m.

RECONVENED

The Senate reconvened at 6:07 p.m., President Schneider presiding.

The Senate stood at ease at 6:08 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 7:03 p.m., President Schneider presiding.

BUSINESS PENDING

[Senate File 2311](#)

The Senate resumed consideration of [Senate File 2311](#), a bill for an act modifying various provisions relating to public utilities, and House amendment [S-5256](#), previously deferred.

Senator Hogg withdrew amendment [S-5269](#), filed by him from the floor to pages 3 and 4 of House amendment [S-5256](#).

Senator Hogg moved the adoption of amendment [S-5260](#) to House amendment [S-5256](#), previously deferred.

A record roll call was requested.

On the question “Shall amendment [S-5260](#) to House amendment [S-5256](#) be adopted?” ([S.F. 2311](#)), the vote was:

Yeas, 22:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Kapucian	Quirnbach
Bolkcom	Dvorsky	Kinney	Ragan
Boulton	Hart	Lykam	Taylor
Bowman	Hogg	Mathis	
Carlin	Horn	McCoy	

Nays, 26:

Behn	Dawson	Kraayenbrink	Sinclair
Bertrand	Edler	Lofgren	Smith
Breitbach	Feenstra	Rozenboom	Sweeney
Brown	Garrett	Schneider	Whitver
Chapman	Greene	Schultz	Zaun
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	

Absent, 2:

Johnson, D. Zumbach

Amendment [S-5260](#) to House amendment [S-5256](#) lost.

Senator Hogg offered amendment [S-5271](#), filed by him from the floor to page 5 of House amendment [S-5256](#), and moved its adoption.

Amendment [S-5271](#) to House amendment [S-5256](#) lost by a voice vote.

Senator Hogg deferred amendment [S-5262](#), filed by him from the floor to pages 6–9 of House amendment [S-5256](#).

Senator Hogg withdrew amendment [S-5263](#), filed by him from the floor to page 6 of House amendment [S-5256](#).

Senator Hogg withdrew amendment [S-5272](#), filed by him from the floor to page 6 of House amendment [S-5256](#).

Senator Hogg offered amendment [S-5264](#), filed by him from the floor to pages 7 and 8 of House amendment [S-5256](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5264](#) to House amendment [S-5256](#) be adopted?” ([S.F. 2311](#)), the vote was:

Yeas, 21:

Allen	Danielson	Jochum	Quirmbach
Bertrand	Dotzler	Kinney	Ragan
Bisignano	Dvorsky	Lykam	Taylor
Bolkcom	Hart	Mathis	
Boulton	Hogg	McCoy	
Bowman	Horn	Petersen	

Nays, 27:

Behn	Dawson	Kapucian	Shiple
Breitbach	Edler	Kraayenbrink	Sinclair
Brown	Feenstra	Lofgren	Smith
Carlin	Garrett	Rozenboom	Sweeney

Chapman	Greene	Schneider	Whitver
Chelgren	Guth	Schultz	Zaun
Costello	Johnson, C.	Segebart	

Absent, 2:

Johnson, D. Zumbach

Amendment [S-5264](#) to House amendment [S-5256](#) lost.

Senator Hogg withdrew amendment [S-5268](#), filed by him from the floor to pages 7 and 8 of House amendment [S-5256](#).

Senator Hogg withdrew amendment [S-5259](#), filed by him from the floor to page 10 of House amendment [S-5256](#).

Senator Hogg offered amendment [S-5275](#), filed by him from the floor to page 10 of House amendment [S-5256](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5275](#) to House amendment [S-5256](#) be adopted?” ([S.F. 2311](#)), the vote was:

Yeas, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirmbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Nays, 28:

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

Absent, 2:

Johnson, D. Zumbach

Amendment [S-5275](#) to House amendment [S-5256](#) lost.

Senator Hogg withdrew amendment [S-5270](#), filed by him from the floor to pages 11–12 of House amendment [S-5256](#).

Senator Hogg offered amendment [S-5274](#), filed by him from the floor to page 12 of House amendment [S-5256](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5274](#) to House amendment [S-5256](#) be adopted?” ([S.F. 2311](#)), the vote was:

Yeas, 19:

Allen	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirnbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor
Danielson	Horn	McCoy	

Nays, 29:

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

Absent, 2:

Johnson, D.	Zumbach
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Amendment [S-5274](#) to House amendment [S-5256](#) lost.

Senator Hogg withdrew amendment [S-5262](#) to House amendment [S-5256](#), previously deferred.

Senator Breitbach 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 Breitbach 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. 2311](#)), the vote was:

Yeas, 28:

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

Nays, 20:

Allen	Danielson	Horn	McCoy
Bisignano	Dotzler	Jochum	Petersen
Bolkcom	Dvorsky	Kinney	Quirnbach
Boulton	Hart	Lykam	Ragan
Bowman	Hogg	Mathis	Taylor

Absent, 2:

Johnson, D. Zumbach

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

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 30, 2018, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2492](#), a bill for an act relating to appropriations to the justice system, and including effective date provisions.

Read first time and attached to **similar** [Senate File 2412](#).

[House File 2495](#), a bill for an act relating to appropriations to the judicial branch.

Read first time and attached to **similar** [Senate File 2411](#).

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate File 2311](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 8:26 p.m. until 9:00 a.m., Tuesday, May 1, 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 FOR THE BLIND

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on April 27, 2018.

Recycling Report, pursuant to Iowa Code section 216B.3. Report received on April 27, 2018.

CERTIFICATE OF RECOGNITION

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

Oliver Russell Field, North Liberty—On the day of his birth. Senator Kinney.

AMENDMENTS FILED

S-5257	S.F. 2413	Craig Johnson
S-5258	H.F. 2494	Craig Johnson
S-5259	S.F. 2311	Robert M. Hogg

S-5260	S.F. 2311	Robert M. Hogg
S-5261	H.F. 2491	Robert M. Hogg
S-5262	S.F. 2311	Robert M. Hogg
S-5263	S.F. 2311	Robert M. Hogg
S-5264	S.F. 2311	Robert M. Hogg
S-5265	H.F. 2377	Pam Jochum
S-5266	S.F. 2410	Mark S. Lofgren
S-5267	H.F. 2377	Dan Dawson
S-5268	S.F. 2311	Robert M. Hogg
S-5269	S.F. 2311	Robert M. Hogg
S-5270	S.F. 2311	Robert M. Hogg
S-5271	S.F. 2311	Robert M. Hogg
S-5272	S.F. 2311	Robert M. Hogg
S-5273	H.F. 2493	Mark S. Lofgren
S-5274	S.F. 2311	Robert M. Hogg
S-5275	S.F. 2311	Robert M. Hogg
S-5276	S.F. 2416	Dennis Guth