

PROOF

STATE OF IOWA

Senate Journal

MONDAY, FEBRUARY 5, 2018

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 5, 2018

The Senate met in regular session at 9:01 a.m., President Whitver presiding.

Prayer was offered by Mary Earnhardt of West Des Moines, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Elin Gabrielle Whitver, daughter of Senator Whitver.

The Journal of Thursday, February 1, 2018, was approved.

ADJOURNMENT

On motion of Senator Schneider, the Senate adjourned at 9:03 a.m. until 10:00 a.m., Tuesday, February 6, 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 REVENUE

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on February 2, 2018.

Tax Gap Compliance Project Report, pursuant to Iowa Code section 421.17. Report received on February 3, 2018.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Thursday, February 1, 2018, 3:10 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirnbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

Members Absent: None.

Committee Business: Passed [SSB 3109](#), as amended.

Adjourned: 4:00 p.m.

JUDICIARY

Convened: Thursday, February 1, 2018, 1:00 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair.

Members Absent: Shipley (excused).

Committee Business: Approved SFs 421, 432, and 2105. Passed SSBs 3012; 3032; 3038; 3041, as amended; 3043; and 3065, as amended.

Adjourned: 2:05 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, January 31, 2018, 2:05 p.m.

Members Present: Garrett, Chair; Lofgren, Vice Chair; Hogg, Ranking Member; Allen, Chelgren, Greene, Guth, Kraayenbrink, Quirnbach, and Segebart.

Members Absent: McCoy (excused).

Committee Business: Subcommittee assignments.

Adjourned: 2:10 p.m.

INTRODUCTION OF BILLS

[Senate File 2165](#), by committee on Judiciary, a bill for an act concerning payments under the crime victim compensation program.

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

[Senate File 2166](#), by committee on Judiciary, a bill for an act relating to redemption by certain persons of parcels sold at tax sale.

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

[Senate File 2167](#), by committee on Judiciary, a bill for an act relating to an ex parte court order authorizing the interception of wire, oral, or electronic communications by special state agents.

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

[Senate File 2168](#), by committee on Commerce, a bill for an act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property.

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

[Senate File 2169](#), by committee on Commerce, a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries.

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

[Senate File 2170](#), by committee on Commerce, a bill for an act relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing.

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

[Senate File 2171](#), by committee on Education, a bill for an act relating to subject assessment requirements for successful completion of an approved practitioner preparation program and providing for related matters.

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

[Senate File 2172](#), by committee on Commerce, a bill for an act relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve.

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

[Senate File 2173](#), by committee on Judiciary, a bill for an act relating to the practice of certain professions and limited liability companies and professional corporations.

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

[Senate File 2174](#), by Chelgren, a bill for an act relating to the conditions for which a student enrolled in grades one through twelve may be excused from physical education requirements.

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

[Senate File 2175](#), by committee on Judiciary, a bill for an act relating to partition of property in kind and partition of property by sale.

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

[Senate File 2176](#), by committee on Judiciary, a bill for an act relating to the criminal offense of lascivious conduct with a minor, and providing penalties.

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

STUDY BILLS RECEIVED

[SSB 3142](#) **Judiciary**

Relating to unenforceable provisions in rental agreements.

SSB 3143 Judiciary

Relating to the prerequisites for and prohibition against an abortion related to the testing for, and following the detection of, a fetal heartbeat, providing for a repeal, and providing penalties.

SSB 3144 Judiciary

Permitting the use of bodily restraints on a child in juvenile court hearings.

SUBCOMMITTEE ASSIGNMENTS**SSB 3142**

JUDICIARY: Shipley, Chair; Edler and Taylor

SSB 3143

JUDICIARY: Sinclair, Chair; Petersen and Schultz

SSB 3144

JUDICIARY: Dawson, Chair; Bisignano and Garrett

FINAL COMMITTEE REPORTS OF BILL ACTION**COMMERCE**

Bill Title: [SENATE FILE 2168 \(SSB 3053\)](#), a bill for an act relating to shortening the periods of time for redeeming real property from foreclosure and delaying sale of foreclosed property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2169 \(SSB 1179\)](#), a bill for an act limiting the liability of an alcoholic beverage licensee or permittee for certain alcohol-related injuries.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Chapman, Breitbach, Feenstra, Guth, C. Johnson, Lykam, Sinclair, Zaun, and Zumbach. Nays, 5: Allen, Boulton, Mathis, McCoy, and Petersen. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2170 \(SSB 3054\)](#), a bill for an act relating to stopping payment on a negotiable instrument by using an electronic record in lieu of a writing.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2172 \(SSB 3056\)](#), a bill for an act relating to the maximum value of life insurance companies' and life insurance associations' investments in CM3 classified mezzanine loans as a percentage of such company's or association's legal reserve.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Bill Title: [*SENATE FILE 2171](#) (formerly [SF 128](#)), a bill for an act relating to subject assessment requirements for successful completion of an approved practitioner preparation program and providing for related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Sinclair, Edler, Quirnbach, Behn, Bowman, Chelgren, Danielson, Greene, Hart, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 2: Dvorsky and Hogg. 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 Education Committee on [Senate File 2171](#), and they were attached to the committee report.

JUDICIARY

Bill Title: [SENATE FILE 2165 \(SSB 3038\)](#), a bill for an act concerning payments under the crime victim compensation program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2166 \(SSB 3012\)](#), a bill for an act relating to redemption by certain persons of parcels sold at tax sale.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2167 \(SSB 3032\)](#), a bill for an act relating to an ex parte court order authorizing the interception of wire, oral, or electronic communications by special state agents.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2173 \(SSB 3043\)](#), a bill for an act relating to the practice of certain professions and limited liability companies and professional corporations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 2175 \(SSB 3065\)](#), a bill for an act relating to partition of property in kind and partition of property by sale.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2175](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2176 \(SSB 3041\)](#), a bill for an act relating to the criminal offense of lascivious conduct with a minor, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2176](#), and they were attached to the committee report.