

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, JANUARY 11, 2018

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JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 11, 2018

The Senate met in regular session at 9:00 a.m., President Whitver 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 Ciara Gallen.

The Journal of Wednesday, January 10, 2018, was approved.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate stood at ease at 9:06 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 9:43 a.m., President Whitver presiding.

JOINT CONVENTION

In accordance with law and [House Concurrent Resolution 103](#), duly adopted, the joint convention was called to order at 9:52 a.m., President Whitver presiding.

Senator Dix moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

Senator Dix moved that a committee of six, three members from the Senate and three members from the House, be appointed to escort Governor Kim Reynolds to the House chamber.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Sinclair, Breitbach, and Kinney on the part of the Senate, and Representatives Pettengill, Rizer, and Kurth on the part of the House.

Senator Dix moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify the Adjutant General of the Iowa National Guard, Major General Tim Orr, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Costello, Dawson, and Bowman on the part of the Senate, and Representatives Wills, Nunn, and Breckenridge on the part of the House.

Secretary of Agriculture, Bill Northey; State Auditor, Mary Mosiman; and Attorney General, Tom Miller were escorted into the House chamber.

Lieutenant Governor Adam Gregg was escorted into the House chamber.

Major General Tim Orr's wife, Suzanne Orr; their daughter; and his guest, the First Deputy Prime Minister of Kosovo, Behgjet Pacolli, were escorted into the House chamber.

The committee waited upon Governor Kim Reynolds and escorted her into the House chamber.

The committee waited upon Major General Tim Orr, Adjutant General of the Iowa National Guard, and escorted him to the Speaker's station.

President Whitver presented Major General Tim Orr, Adjutant General of the Iowa National Guard. Major General Tim Orr delivered the following Condition of the Guard Address:

Good morning Ladies and gentlemen—thank you for your warm welcome.

Speaker Upmeyer, President Whitver, distinguished members of the Iowa Senate and House of Representatives, honored guests from the Republic of Kosovo, thank you for the opportunity to once again address this joint convention of the Eighty-Seventh General Assembly of the Iowa Legislature.

Today, it is my honor and privilege once again to stand before the joint session of the Iowa Legislature to provide this annual report on the current condition of the Iowa National Guard.

Your Iowa National Guard has evolved from a Territorial Militia created in 1839 into an operational force prepared to defend our state and nation during an era of uncertainty and persistent conflict.

For nearly 180 years, your Iowa National Guard has executed every mission assigned, responded without fail here at home, and deployed wherever needed in a moment's notice, all while making a positive impression wherever they serve.

Your Iowa National Guard is truly making a difference every day in Iowa and around the world.

I want to thank Governor Reynolds and Lieutenant Governor Gregg for attending our homecomings and sendoffs, your strong support of our families and employers, and your willingness to support our military ceremonies.

I would also like to thank our citizen-legislators, who have done so much to honor and support the Soldiers and Airmen of the Iowa National Guard over the years. And I want to thank the people of Iowa.

Your support of our Soldiers, Airmen, and families has been absolutely incredible.

The Iowa National Guard exists to support and defend the Constitution of the United States and the Constitution of the State of Iowa.

We do this by inspiring Iowans to serve here in Iowa and around the world. We call these men and women Citizen-Soldiers or Citizen-Airmen.

Their desire to serve is often inspired by their parents or other family members, their friends, and their role models.

These men and women take an oath to put on a uniform and serve their community, state, and nation.

And from that moment, they make sacrifices for ideals that are larger than themselves.

These sacrifices may include spending long periods of time away from family and friends, delaying higher education and career plans, or otherwise putting their personal lives on hold to respond to the needs of their Commander in Chief, whether it's the Governor of Iowa or the President of the United States.

But despite the sacrifices, our Soldiers and Airmen grow immensely, both personally and professionally, from their decision to be a valuable team member of the Iowa National Guard.

Our motto of "We live here, we work here, we serve here" is more important today than ever.

The Iowa National Guard provides a multitude of opportunities to men and women from across this great state.

Our Soldiers and Airmen serve for many reasons: to capitalize on the opportunity to be an integral part of a world class team; to receive a two-year, four-year or technical school degree and graduate debt-free; to learn an occupational skill that will lead to meaningful employment; to travel the world and help people around the globe; to carry on the proud tradition of family service; or just to experience the satisfaction of doing something bigger than themselves.

No matter the reason, this is why the Iowa National Guard is so important to the well-being of the State of Iowa and a key element in the solution to solve some of Iowa's and the nation's pressing issues.

As we look around the globe, the international situation today is the most complex and demanding that I have seen in my 39 years of service.

In the Middle East, terrorists continue to kill innocent people and destroy critical infrastructure, despite significant and accelerating losses.

In Europe, for the first time since World War II, we've seen national borders changed by military aggression, as Russia ignores international law and assumes authority over its neighbors' sovereign rights to make decisions about their own country.

In the Pacific, North Korean provocations threaten regional and even global peace, despite universal condemnation by the United Nations.

In the United States, our homeland, unprecedented back-to-back natural disasters, coupled with major cyber-attacks, and the smallest military since before World War II test our nation's ability to fulfill our global commitments.

As a result of these challenges, the Department of Defense, the National Guard as a whole, and the Iowa National Guard in particular are having to adapt and change.

This is why my focus every day must be to ensure that the Iowa National Guard remains ready and we have the resources to accomplish our three core missions—fighting America's wars, securing the homeland, and building enduring partnerships at the local, state, federal and international levels. Defending our state and nation are our primary missions.

To accomplish these tasks, my first priority is to provide ready forces to the President of the United States and the Governor of Iowa.

Our state's contribution to providing ready forces for the warfight mission can't be overstated, as evidenced by approximately 800 Iowa National Guard Soldiers and Airmen currently mobilized for combat operations around the globe.

With a total of more than 19,000 Iowa National Guard members serving on active duty since September 11, 2001, Iowa has unquestionably done its part to support our nation.

Last August, approximately 35 Soldiers assigned to Detachment 1, Company C, 2nd of the 211th General Support Aviation Battalion from Waterloo, deployed to the Middle East to provide aerial medical evacuations in support of coalition forces.

We expect these Soldiers to return to Iowa in late Spring 2018.

In September, approximately 400 Soldiers assigned to the 248th Aviation Support Battalion from Muscatine, Davenport, Waterloo, and Boone deployed to the Middle East to provide aviation maintenance and logistical support to a combat aviation brigade.

This deployment of Soldiers is the largest, single-unit deployment of the Iowa National Guard since 2010.

We expect these Soldiers to return to Iowa in Summer 2018.

In addition to our Soldiers deploying this past year, our deployed Airmen from the 185th Air Refueling Wing, 132nd Wing, and the 133rd Test Squadron have been busy supporting the warfight with ongoing aircraft refueling support, cyber security protection, Remotely Piloted Aircraft operations, and testing new Air Force battlespace/air traffic control systems worldwide. In the past year alone, the 185th Air Refueling Wing in Sioux City has deployed more than 200 Airmen to the Middle East to provide ongoing refueling support of real-world missions to the Air Force, Army, Navy, Marine Corps, and coalition aircraft supporting the fight against ISIS.

The 133rd Test Squadron in Fort Dodge has approximately 60 members currently deployed in the Middle East conducting testing on Air Force Command and Control systems and are expected to return back to Iowa in Spring 2018.

This deployment is the first of its kind for the unit since 9/11.

Since the conversion from F-16 fighter aircraft to three new missions consisting of Remotely Piloted Aircraft, a Cyberspace Operations Squadron, and an Intelligence Surveillance Reconnaissance Group, more than 230 Airmen from the 132nd Wing in Des Moines have served on active duty at home and around the globe.

Due to the amazing advances in technology, the 132nd Wing is able to provide targeting support, MQ-9 Reaper Remotely Piloted Aircraft persistent attack and reconnaissance capability, and cyber security protection around the globe from the Des Moines Airbase.

In the near future, additional Iowa Army and Air National Guard units and individuals have been identified for potential overseas deployments.

With the level of global uncertainty today, the velocity of instability, and potential for significant conflict around the world, we are now at a point where current and projected demands for our assets around the globe to support the warfight will remain at a high operations tempo.

Here at home, our mission is to be the primary military crisis response force for Iowa, and in other parts of the homeland when necessary. We use the experience and capabilities we gain from training and combat to assist civilian authorities in responding to threats here in Iowa such as large scale natural disasters, cyberattacks, or chemical, biological, radiological and nuclear attacks.

I am happy to report that for most of 2017, it was a relatively quiet year for our emergency response operations.

We used this available time to plan, prepare, and rehearse for potential disaster response on a multitude of scenarios.

In order to be more prepared and have the ability to respond quickly and effectively, the Iowa National Guard has developed an All-Hazards Support Plan to help our state plan and execute various response and recovery operations.

However, that all changed in September, when the United States experienced three hurricanes that struck the homeland back-to-back over a three-week period of time: Hurricanes Harvey, Irma and Maria.

During the course of these events, we received numerous Emergency Management Assistance Compact requests from Texas, Florida, and Puerto Rico for Iowa National Guard forces, capabilities, and equipment to assist their communities respond quickly to the devastation.

We sent several helicopters and aircrews to support Texas and Florida, but our largest and most sustained assistance came from the 132nd Wing, Des Moines, and the 185th Air Refueling Wing, Sioux City.

These units deployed 25 Security Forces personnel to Puerto Rico in a moment's notice, established security for critical facilities on the island, including the main airport, and enabled the restoration of electricity and transportation of food, water, and medical supplies. Iowa's Airmen served in Puerto Rico for nearly two months, until the island was stabilized.

While providing trained and ready Soldiers and Airmen for combat and domestic response missions is the primary focus of the Iowa National Guard, building enduring partnerships comprises our third mission, which is an essential part of our success.

We accomplish our assigned tasks overseas and at home only through the partnerships we forge at the local, state, federal and international levels.

One of the most important collaborations is through our State Partnership Program relationship with the Republic of Kosovo and the Kosovo Security Force.

Since March 2011, the Iowa National Guard and the Kosovo Security Force have enjoyed a strong and dynamic partnership founded on mutual respect and admiration with a common interest in facilitating stability within Eastern Europe.

In support of this program, our Soldiers and Airmen work side-by-side with their Kosovo Security Force counterparts to: develop their Non-Commissioned Officer corps; improve their communications, operational logistics and military medical capabilities; and enhance their ability to respond to natural disasters and cyber threats.

A vital element to the success of this relationship is our whole of society vision, which has expanded this important program of exchanges far beyond the Iowa National Guard.

We now have a fully-functional Republic of Kosovo consulate office located in the heart of downtown Des Moines, working every day to expand cooperation between business and industry, agriculture, education, law enforcement and many other sectors important to both the state of Iowa and the Republic of Kosovo. Kosovo's relationship with the United States and the State of Iowa is an important factor to maintaining peace and security in the Balkans region and facilitating economic growth and development in Europe's newest democracy.

So important is this partnership to Kosovo that First Deputy Prime Minister Behgjet (buh jet) Pacolli (putz OH lee) is with us this morning to lend his support and cooperation to the continued growth and success of this important partnership.

Please give a warm Iowa welcome to First Deputy Prime Minister Pacolli. Thank you for joining us today.

In addition to the State Partnership Program, we have continued our partnerships with: Home Base Iowa; the "Enlist, Educate, Employ" program with seven Iowa community colleges; and the Governor's Science, Technology, Engineering, and Math, or STEM, and Career and Technical Education, or CTE, programs.

Unique to the Iowa National Guard, we offer a wide variety of education and career opportunities for students interested in STEM and CTE career fields.

This past summer we hosted an Iowa high school teacher from Denver, Iowa as part of a STEM externship program for six weeks.

He spent time at multiple facilities working in a variety of STEM-related career fields, understanding firsthand how to take an educational STEM standard and apply it to a real-life application.

In addition to the externship, we've hosted students and teachers from Harlan, Ottumwa and Davis County High Schools for our STEM Tactical Advantage program, which was held at Camp Dodge and the Des Moines Airbase. The depth of hands-on learning and connections made to the Core Curriculum through this real world experience had students engaged in significant ways.

Students were able to see first-hand the impact of understanding the science behind how helicopters work and the math behind how unmanned aerial vehicles operate, as well as other real-world examples.

The types of connections made by students during the STEM Tactical Advantage Day gave them exceptional, unique experiences.

These events allowed students and teachers an opportunity to see how we apply STEM and CTE-related skills every day in our normal duties.

Another great partnership we have in the State is with the Iowa National Guard's Counterdrug program and Midwest Counterdrug Training Center.

Our program, which is federally funded through the Department of Defense, has played an important role in helping reduce the supply and demand of illicit drugs in the State of Iowa since 1989, and provides critical training at no cost to local law enforcement personnel, and prevention and treatment professionals.

In the fight against opioids, this year the Counterdrug program trained 340 law enforcement officers across Iowa how to properly administer Narcan, the antidote for opioid overdoses.

Through the assistance of Counterdrug specialists, more than one pound of fentanyl, which equates to more than 171,000 fatal doses, and more than 12 pounds of heroin, were seized and taken off the street in Iowa.

And in 2017, more than \$43 million in drugs and \$3 million in cash and assets were seized from drug dealers in Iowa with the assistance of the Counterdrug program. Especially important, along with our many partners, the Iowa National Guard is doing our part to stimulate the economy of Iowa, while providing exceptional, multi-functional facilities for our force.

In 2017, military and law enforcement personnel executed more than 465,000 training days on Camp Dodge, and tens of thousands of museum visitors, students and civilians also utilized the post, making it the third busiest National Guard training installation in the United States.

Military, law enforcement and civilian visitors to Camp Dodge pumped more than \$100 million of discretionary spending back into the central Iowa area last year.

Additional economic benefit comes from our military construction projects here in Iowa.

Through the tireless efforts of our Construction and Facilities Management Office, today every armory in the state has been remodeled, refurbished, or rebuilt within the last 25 years.

At the 185th Air Refueling Wing in Sioux City, this past fall we broke ground on a \$12.4 million Composite Support Facility, and in Davenport, we will begin building a \$23 million armory this spring utilizing 100% federal funding, replacing our oldest readiness center in the state.

We continue to work with our federal delegation and the Department of Defense to identify and acquire federal funding for the possible future construction of a joint training facility on Camp Dodge, which could consolidate our military schools, law enforcement and first responder training, and other training requirements for state agencies into one facility, maximizing infrastructure, eliminating redundancy, and reducing operational costs.

In addition to organizational readiness, finding and developing great people is absolutely essential to our success. It's critically important that we broaden the scope of military service to include people from across the fabric of our communities, whether from families who have had few serve, to those families with multiple service members, in order to better balance the commitment across society.

Today, the Iowa National Guard's ranks are filled with high-quality patriots, all volunteers, willing to serve, and I am very proud to serve alongside all of them.

These same Soldiers and Airmen that have chosen to serve are very special, as they represent the less than one percent of the nation that is serving in uniform today to protect our state and nation.

What is particularly concerning is the large percentage of U.S. military members who come from the same military families.

According to the Department of Defense, since our country ended the draft in 1973, more than 80% of our service members come from a family where at least one parent, grandparent, aunt or uncle, sibling or cousin has served, and more than 25% of our troops have at least one parent who has served.

We are effectively creating a class in our society that is carrying the burden for the remainder of our citizens.

Given the increased emphasis on the operational role of the National Guard, recruiting high-quality men and women is a key component of my readiness mission.

With only three out of ten 17 to 24 year-olds eligible today for military service due to various reasons, there's significant concern among civilian and military leaders about the future of our military and the readiness of our force to defend this nation in the years ahead. In order to maintain a strong democracy and free nation, we must encourage our young people to consider military service as a viable and honorable option.

Skills gained from military service can provide a lifetime of professional and personal benefits.

In Iowa, we've been able to maintain our position in personnel readiness in no small measure because of the Iowa National Guard Education Assistance Program, or NGEAP, which the Iowa Legislature has funded in the past at 100%.

NGEAP is the centerpiece of our recruiting efforts and without it, we couldn't have achieved our personnel readiness goals. But NGEAP is so much more than simply a benefit to our Soldiers and Airmen.

This year, more than 1,200 of our members received up to 100% tuition paid at the State Regents' rate to attend Iowa colleges, universities, and community colleges through this program, keeping our young people here in the state and providing them with a high-quality Iowa education.

And also of critical importance to the future success of our force is the opening of all military positions to women for the first time in our nation's history.

Beginning in 2016, Department of Defense policy was revised to enable eligibility for all military jobs, regardless of gender, as long as the service member could meet all of the qualifications for the position.

This policy change opened up more than 1,700 positions in the Iowa National Guard to women for the first time in our history and has provided new opportunities for female Soldiers and Airmen in every corner of the state. For the first time in the Iowa National Guard, we now have women serving proudly and capably as combat engineers, cavalry and artillery personnel, among other previously male-only specialties across our organization.

There are tremendous opportunities today for both men and women in the Iowa National Guard.

When you combine our National Guard Education Assistance Program, along with the numerous STEM and CTE opportunities, and our committed diversity outreach programs, the Iowa National Guard offers a diverse foundation of education, service, and flexible career options to young Iowans across the state.

Serving in the Iowa National Guard is truly life-changing and inspiring service.

Our country will undoubtedly continue to face significant domestic, global, and fiscal challenges in the future, but your Iowa National Guard is postured to rise to those challenges, ready to transform from civilians to Guardsmen and women on a moment's notice to defend America, at home and abroad, just as we have done continuously since 1839.

I am so very proud of our Soldiers, Airmen, their families, our rich heritage, and our resolve as we continue our role in the preservation of the ideals upon which our nation and state were founded.

On behalf of our men and women and their families, thank you for this opportunity today to provide you an update on the Iowa National Guard.

Thank you.

Major General Tim Orr was escorted from the House chamber by the committee previously appointed.

Governor Kim Reynolds was escorted from the House chamber by the committee previously appointed.

Representative Hagenow moved that the joint convention be dissolved, which motion prevailed by a voice vote.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 10:33 a.m. until 9:00 a.m., Friday, January 12, 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:

IOWA STUDENT LOAN BOARD

2017 Annual Report, pursuant to Iowa Code section 7C.13(2). Report received on January 11, 2018.

STATE FAIR BOARD

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 11, 2018.

DEPARTMENT OF MANAGEMENT

Early Childhood Iowa State Board Report, pursuant to Iowa Code section 256I.4. Report received on January 11, 2018.

Goals and Objectives Annual Report, pursuant to Iowa Code section 7E.3. Report received on January 11, 2018.

Joint Investment Trust Report FY 2017, pursuant to Iowa Code section 12B.10A. Report received on January 11, 2018.

Joint Investment Trust Report FY 2018, pursuant to Iowa Code section 12B.10A. Report received on January 11, 2018.

DEPARTMENT OF NATURAL RESOURCES

Mercury-Added Thermostats Report, pursuant to Iowa Code section 455D.16. Report received on January 11, 2018.

CERTIFICATE OF RECOGNITION

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

Julie Leeper—For her outstanding service to the students of Iowa at the College Student Aid Commission. Senator Quirmbach.

REPORTS OF COMMITTEE MEETINGS

STATE GOVERNMENT

Convened: Wednesday, January 10, 2018, 3:30 p.m.

Members Present: Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Carlin, Danielson, Dawson, Feenstra, Horn, Jochum, Schneider, Schultz, and Zaun.

Members Absent: Dvorsky (excused).

Committee Business: Organizational meeting.

Adjourned: 3:40 p.m.

WAYS AND MEANS

Convened: Wednesday, January 10, 2018, 3:05 p.m.

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

Members Absent: McCoy (excused).

Committee Business: Introduced new members to the committee, Senator Carlin and Senator Hogg.

Adjourned: 3:20 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, January 11, 2018, 11:30 a.m.

Members Present: Shipley, Chair; Hart, Ranking Member; Kinney, and Rozenboom.

Members Absent: Brown, Vice Chair (excused).

Committee Business: Organizational meeting.

Adjourned: 11:45 a.m.

INTRODUCTION OF BILLS

[Senate File 2034](#), by McCoy, a bill for an act prohibiting the placement of former foster children under private instruction if the adoptive parents are receiving an adoption subsidy.

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

[Senate File 2035](#), by McCoy, Jochum, Horn, Taylor, and Dotzler, a bill for an act relating to health care coverage including the establishment of a healthy Iowans for a public option and the administration of the Medicaid program, and including effective date provisions.

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

STUDY BILL RECEIVED

[SSB 3018](#) **Judiciary**

Modifying certain criminal acts involving payment cards, and including penalties.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2001](#)

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Carlin and Hart

[Senate File 2006](#)

LOCAL GOVERNMENT: Guth, Chair; Greene and Hogg

[Senate File 2020](#)

NATURAL RESOURCES AND ENVIRONMENT: Shipley, Chair; Lykam and Rozenboom

[Senate File 2024](#)

JUDICIARY: Shipley, Chair; Bisignano and Sinclair

[Senate File 2025](#)

JUDICIARY: Dawson, Chair; Bisignano and Sinclair

[Senate File 2030](#)

EDUCATION: Sinclair, Chair; Chelgren and Dvorsky

[SSB 3018](#)

JUDICIARY: Zaun, Chair; Kinney and Schneider