

PROOF

STATE OF IOWA

Senate Journal

FRIDAY, MAY 4, 2018

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JOURNAL OF THE SENATE

ONE HUNDRED SEVENTEENTH CALENDAR DAY
SEVENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, May 4, 2018

The Senate met in regular session at 12:09 p.m., President Schneider 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 Maddie Smith.

The Journal of Thursday, May 3, 2018, was approved.

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 May 3, 2018, passed the following bills in which the concurrence of the House was asked:

[Senate File 2390](#), a bill for an act relating to licensure and regulation for the hotel sanitation code, home bakeries, and food establishments and food processing plants, modifying fees and penalties, and including effective date provisions.

[Senate File 2400](#), a bill for an act relating to municipal risk protection and the classification of library districts as municipalities for the purpose of joining a local government risk pool and including effective date provisions.

[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.

[Senate File 2415](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and providing applicability provisions.

ALSO: That the House has on May 3, 2018, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

[House File 2494](#), a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, providing for other properly related matters, and including effective date provisions.

ALSO: That the House has on May 3, 2018, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 2500](#), a bill for an act relating to the workforce housing tax incentives program by providing for limited extensions of completion deadlines for housing projects, and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

ALSO: That the House has on May 3, 2018, **amended** the Senate amendment, **concurred** in the Senate amendment **as amended**, **and 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. ([S-5305](#))

[House File 2493](#), a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, and properly related matters, and including effective date and retroactive applicability provisions. ([S-5304](#))

The Senate stood at ease at 12:13 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:55 p.m., Senator Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator D. Johnson, until he arrives, on request of Senator Hogg; Senators Allen and Taylor, until they arrive, on request of Senator Petersen; and Senators Bertrand, Chelgren, and Sinclair, until they arrive, on request of Senator Whitver.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [House File 631](#).

[House File 631](#)

On motion of Senator Dawson, [House File 631](#), a bill for an act relating to the establishment of certain licenses and fees by rules adopted by the natural resource commission and including coordinating and transition provisions, and effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Dawson offered amendment [S-5303](#), filed by him from the floor to pages 1–12 of the bill, and moved its adoption.

Amendment [S-5303](#) was adopted by a voice vote.

Senator Dawson 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. 631](#)), the vote was:

Yeas, 44:

Behn	Dawson	Jochum	Ragan
Bisignano	Dotzler	Johnson, C.	Rozenboom
Bolkcom	Dvorsky	Kapucian	Schneider
Boulton	Edler	Kinney	Schultz

Bowman	Feenstra	Kraayenbrink	Segebart
Breitbach	Garrett	Lofgren	Shiple
Brown	Greene	Lykam	Smith
Carlin	Guth	Mathis	Sweeney
Chapman	Hart	McCoy	Whitver
Costello	Hogg	Petersen	Zaun
Danielson	Horn	Quirnbach	Zumbach

Nays, none.

Absent, 6:

Allen	Chelgren	Sinclair
Bertrand	Johnson, D.	Taylor

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

IMMEDIATELY MESSAGED

President Whitver asked and received unanimous consent that [House File 631](#) be **immediately messaged** to the House.

The Senate stood at ease at 2:02 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:59 p.m., Senator Schneider presiding.

HOUSE AMENDMENT CONSIDERED

[Senate File 2388](#)

Senator Whitver called up for consideration [Senate File 2388](#), a bill for an act relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions, amended by the House in House amendment [S-5292](#), filed May 2, 2018.

Senator Feenstra 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 Feenstra 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. 2388](#)), the vote was:

Yeas, 35:

Allen	Dawson	Kapucian	Schultz
Behn	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shiple
Breitbach	Garrett	Lofgren	Smith
Brown	Greene	Mathis	Sweeney
Carlin	Guth	McCoy	Whitver
Chapman	Hart	Ragan	Zaun
Costello	Horn	Rozenboom	Zumbach
Danielson	Johnson, C.	Schneider	

Nays, 11:

Bisignano	Dotzler	Jochum	Quirnbach
Bolkcom	Dvorsky	Lykam	Taylor
Boulton	Hogg	Petersen	

Absent, 4:

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

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [House File 2440](#).

[House File 2440](#)

On motion of Senator Rozenboom, [House File 2440](#), a bill for an act relating to certain water quality programs and other provisions properly related to water quality, making appropriations, and including effective date provisions, with report of committee recommending passage, placed on the Unfinished Business Calendar on March 22, 2018, was taken up for consideration.

Senator Hogg asked and received unanimous consent to withdraw amendment [S-5129](#), filed by Senator D. Johnson on March 7, 2018, to page 5 of the bill.

Senator Rozenboom 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. 2440](#)), the vote was:

Yeas, 34:

Allen	Dawson	Kinney	Segebart
Behn	Edler	Kraayenbrink	Shiple
Bisignano	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Sweeney
Breitbach	Greene	Mathis	Whitver
Brown	Guth	Ragan	Zaun
Carlin	Hart	Rozenboom	Zumbach
Chapman	Johnson, C.	Schneider	
Costello	Kapucian	Schultz	

Nays, 12:

Bolkcom	Dotzler	Horn	Petersen
Boulton	Dvorsky	Jochum	Quirmbach
Danielson	Hogg	McCoy	Taylor

Absent, 4:

Bertrand	Chelgren	Johnson, D.	Sinclair
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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

President Whitver asked and received unanimous consent that [Senate File 2388](#) and [House File 2440](#) be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

[Senate File 2416](#)

Senator Whitver called up for consideration [Senate File 2416](#), a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, amended by the House in House amendment [S-5300](#), filed May 2, 2018.

Senator Mathis asked and received unanimous consent that action on amendment [S-5300](#) and [Senate File 2416](#) be **deferred**.

The Senate stood at ease at 4:12 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:50 p.m., Senator Schneider presiding.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 2418](#).

[Senate File 2418](#)

On motion of Senator Costello, [Senate File 2418](#), a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions, was taken up for consideration.

Senator Costello offered amendment [S-5306](#), filed by him from the floor to pages 1, 6, 10, 11, 25, 26, 29, 32-34, 48, 74, 86, 91, and 92 of the bill, and moved its adoption.

Amendment [S-5306](#) was adopted by a voice vote.

Senator Danielson offered amendment [S-5309](#), filed by Senator Danielson, et al., from the floor to pages 26 and 29 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5309](#) be adopted?” ([S.F. 2418](#)), the vote was:

Yeas, 22:

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

Nays, 25:

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

Absent, 3:

Chelgren	Johnson, D.	Sinclair
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Amendment [S-5309](#) lost.

Senator Jochum offered amendment [S-5308](#), filed by Senator Jochum, et al., from the floor to page 111 of the bill.

Senator Costello raised the point of order that amendment [S-5308](#) was not germane to the bill.

The Chair ruled the point not well-taken and amendment [S-5308](#) in order.

The Senate stood at ease at 5:43 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 6:14 p.m., President Schneider presiding.

Senator Jochum moved the adoption of amendment [S-5308](#).

A record roll call was requested.

On the question "Shall amendment [S-5308](#) be adopted?" ([S.F. 2418](#)), the vote was:

Yeas, 23:

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

Nays, 24:

Behn	Dawson	Kapucian	Segebart
Bertrand	Edler	Kraayenbrink	Shipley
Breitbach	Feenstra	Lofgren	Smith
Brown	Garrett	Rozenboom	Sweeney
Carlin	Guth	Schneider	Whitver
Costello	Johnson, C.	Schultz	Zumbach

Absent, 3:

Chelgren	Johnson, D.	Sinclair
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Amendment [S-5308](#) lost.

President Pro Tempore Behn took the chair at 7:20 p.m.

President Schneider took the chair at 7:48 p.m.

Senator Costello 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. 2418](#)), the vote was:

Yeas, 27:

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

Nays, 20:

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

Absent, 3:

Chelgren	Johnson, D.	Sinclair
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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 2418](#) be **immediately messaged** to the House.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

[House File 2493](#)

Senator Whitver called up for consideration [House File 2493](#), a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, and properly related matters, and including effective date and retroactive applicability provisions, amended by the Senate and further amended by the House in House amendment [S-5304](#) to Senate amendment [H-8467](#), filed May 4, 2018.

Senator Lofgren moved that the Senate concur in the House amendment to the Senate amendment.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" ([H.F. 2493](#)), the vote was:

Yeas, 46:

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

Nays, 1:

Taylor

Absent, 3:

Chelgren	Johnson, D.	Sinclair
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The motion prevailed and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Lofgren moved that the bill, as amended by the Senate, further 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?" ([H.F. 2493](#)), the vote was:

Yeas, 27:

Behn	Dawson	Kapucian	Shiple
Bertrand	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Sweeney
Brown	Garrett	Rozenboom	Whitver

Carlin	Greene	Schneider	Zaun
Chapman	Guth	Schultz	Zumbach
Costello	Johnson, C.	Segebart	

Nays, 20:

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

Absent, 3:

Chelgren	Johnson, D.	Sinclair
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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 [House File 2493](#) be **immediately messaged** to the House.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

[House File 2492](#)

Senator Whitver called up for consideration [House File 2492](#), a bill for an act relating to appropriations to the justice system, and including effective date provisions, amended by the Senate and further amended by the House in House amendment [S-5305](#) to Senate amendment [H-8466](#), filed May 4, 2018.

Senator Dawson moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Dawson moved that the bill, as amended by the Senate, further 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?" ([H.F. 2492](#)), the vote was:

Yeas, 27:

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

Nays, 20:

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

Absent, 3:

Chelgren	Johnson, D.	Sinclair
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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 [House File 2492](#) be **immediately messaged** to the House.

BUSINESS PENDING

[Senate File 2416](#)

The Senate resumed consideration of [Senate File 2416](#), a bill for an act relating to and making appropriations and related statutory changes involving certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and House amendment [S-5300](#), previously deferred.

Senator Mathis offered amendment [S-5307](#), filed by her from the floor to page 1 of amendment [S-5300](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5307](#) to House amendment [S-5300](#) be adopted?” ([S.F. 2416](#)), the vote was:

Yeas, 21:

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

Nays, 26:

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

Absent, 3:

Chelgren	Johnson, D.	Sinclair
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Amendment [S-5307](#) to House amendment [S-5300](#) lost.

Senator Guth 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 Guth 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. 2416](#)), the vote was:

Yeas, 28:

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

Nays, 20:

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

Absent, 2:

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate File 2416](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 8:43 p.m. until 9:00 a.m., Saturday, May 5, 2018.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 4, 2018, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 359](#) – Prohibiting and requiring certain actions relating to a fetus and providing penalties.

[Senate File 2227](#) – Relating to a bill for an act relating to the publication of county resolutions.

[Senate File 2303](#) – Relating to the inheritance tax by modifying the requirements to qualify for a deferment of tax payment under certain circumstances in the case of estates with a deferred estate or remainder interest, and including applicability provisions.

[Senate File 2311](#) – Modifying various provisions relating to public utilities, providing for a study of electric vehicle infrastructure support, and including effective date provisions.

[Senate File 2314](#) – Relating to certain corporations doing business in this state, including restrictions and requirements imposed on nonprofit corporations acquiring agricultural land used in farming, and the duties and liabilities of directors of for-profit and nonprofit corporations.

AMENDMENTS FILED

S-5303	H.F.	631	Dan Dawson
S-5304	H.F	2493	House
S-5305	H.F	2492	House
S-5306	S.F	2418	Mark Costello
S-5307	S.F	2416	Liz Mathis
S-5308	S.F	2418	Pam Jochum Amanda Ragan
S-5309	S.F	2418	Jeff Danielson William A. Dotzler, Jr. Robert Dvorsky Joe Bolkcom
S-5310	S.F	2417	Randy Feenstra