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**STATE OF IOWA**

**Senate Journal**

**TUESDAY, JANUARY 15, 2019**

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# JOURNAL OF THE SENATE

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SECOND CALENDAR DAY  
SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, January 15, 2019

The Senate met in regular session at 9:03 a.m., President Schneider presiding.

Prayer was offered by Minister Eli Suddarth of the Lutheran Church of Hope in Ankeny, Iowa. He was the guest of Senator Whitver.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jackson Birdwell.

The Journal of Monday, January 14, 2019, 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 9:13 a.m. until the fall of the gavel for a Democratic party caucus.

The Senate resumed session at 9:44 a.m., President Schneider presiding.

In accordance with [House Concurrent Resolution 1](#), duly adopted, the Senate proceeded to the House chamber under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

## JOINT CONVENTION

The joint convention convened at 9:51 a.m., President Schneider presiding.

Senator Whitver 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.

President Schneider declared a quorum present and the joint convention duly organized.

Senator Whitver moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify Governor Kim Reynolds that the joint convention was ready to receive her.

The motion prevailed by a voice vote, and the Chair announced the appointment of Senators Feenstra, Koelker, and Mathis on the part of the Senate, and Representatives Jones, Brink, and Konfrst on the part of the House.

Secretary of Agriculture, Mike Naig; Auditor of State, Rob Sand; Treasurer of State, Mike Fitzgerald; and Attorney General, Tom Miller were escorted into the House chamber.

The Chief Justice and the Justices of the Supreme Court and the Chief Judge and the Judges of the Court of Appeals were escorted into the House chamber.

Lieutenant Governor Adam Gregg, his wife Cari, son Jackson, daughter Lauren, and parents Larry and Carol were escorted into the House chamber.

First Gentleman Kevin Reynolds, daughter Jessica Erger, grandsons Emory and Reed Erger, daughter Nicole Springer, and parents Charles and Audrey Strawn were escorted into the House chamber.

The committee waited upon Governor Kim Reynolds and escorted her to the Speaker's station.

President Schneider presented Governor Kim Reynolds, who delivered the following Condition of the State Address:

Mr. Lt. Governor, Mr. President, Madam Speaker, legislative leaders, senators, representatives, justices, judges, elected officials, distinguished guests, family, friends, my fellow Iowans:

The job of government, above all else, is to provide for the health and safety of its citizens.

So I want to begin this address by thanking the people who are on the front lines of providing that protection: the men and women who serve in military, law enforcement, and as first responders.

They risk their lives for us. And some of them give the ultimate sacrifice. It was with great sadness that, last week, we laid to rest Clinton firefighter Lt. Eric Hosette. And it is with prayerful hope that we watch Firefighter Adam Cain recover from the same tragic event.

For these men and women, service isn't just part of their job. It's who they are—whether the uniform is on or off.

Take Billy Fox. After graduating from Central College, he enlisted in the Army and joined the special forces. After almost eight years of active service and tours in the Middle East, Billy returned to civilian life.

He began his job search through Home Base Iowa and eventually landed at Vermeer, back home in Pella. He started on the production line and quickly became the head of security, where his instincts to serve and protect would be put to use—in ways that no one would have imagined.

On July 19, a tornado ripped through Vermeer's campus, completely destroying one factory and heavily damaging others. It was devastating. I saw it first-hand the next day. Metal was everywhere; cars were piled on top of each other; and brick walls were leveled.

Yet there was not a single fatality. Not one.

Thanks to Billy's calm and experienced leadership, the 3,000 employees and visitors attending Vermeer's customer appreciation day were safe. Even though an "all clear" was issued by a paid weather service, Billy and his team kept everyone sheltered—and in doing so, saved their lives.

Billy, please stand so that we can recognize your service, leadership, and bravery.

On the same day a tornado struck Vermeer, separate tornadoes ripped through Bondurant and Marshalltown, destroying homes and businesses in their path.

In the days and weeks after, hundreds of volunteers showed up to help clear debris and rebuild.

Last year, we saw the same thing play out again and again across Iowa. In times of need, Iowans came together. Neighbor-helping-neighbor. And often, stranger helping stranger.

Whether it was cleaning up after a flood or a tornado, looking for a missing loved one, or bringing in a harvest after a tragedy, Iowans showed up.

It's who we are, and it's why I am so proud to be your governor.

Join me in recognizing the Iowans who, every day, show acts of kindness, and who truly make this the greatest state in the nation.

For those of us who have the honor to represent these Iowans, it's our job to live up to the example they set. And there's no better time than the Condition of the State and the days that follow to set aside our differences and forge a common vision.

Iowans expect no less.

Working across the aisle isn't an impossible task; we've done it. And by continuing to put Iowans first, we honor four public servants, whose belief in diplomacy, principles, and bipartisanship made an incredible difference in millions of lives.

In 2018, America lost a great leader with the passing of President George H.W. Bush. A man whose legacy is one of service, statesmanship and values, and whose commemoration served as a reminder to all Americans of the nobility of public service.

Iowa mourned the passing of Gov. Robert Ray whose civility, courage and common-sense style of governing set the highest standard for those who followed.

We grieved the passing of Congressman Leonard Boswell, a proud veteran and public servant who willingly reached across the aisle on many issues to make Iowa a better place.

And three weeks ago, we lost legendary Sen. John Culver, whose energy, passion for politics, and timeless wit highlighted the best of Iowa.

If we've learned anything from the passing of these public servants, it's this: Working together, with deep resolve, we can achieve more than we ever dreamed possible.

Last year was another year of significant accomplishments. Together, we: passed the largest income tax cut ever as part of a groundbreaking tax reform package; continued making education a priority by investing a record amount in K-12 schools and our children's future; enacted a collaborative water-quality bill, my first as governor; protected the sanctity of life; provided affordable insurance options to thousands of Iowans; and—with unanimous support—enacted comprehensive mental health reform and the Future Ready Iowa Act.

Indeed, it was a historic year.

As we begin a new general assembly, I'm proud to declare that the condition of the state is strong. Our budget is balanced and our cash reserves are full; wages are going up while unemployment is at an all-time low.

Because of our people and the power of their ingenuity, Iowa is soaring.

I know, however, that not everyone feels that success. I know that in family rooms, workplaces—and even in this chamber—there are Iowans who are struggling, sometimes in silence.

Today, I am asking this Legislature to work with me again to fight for those individuals. To make sure that Iowa's success is every Iowan's success.

One year ago, I stood at this podium and told you that my vision for the future is an Iowa overflowing with opportunity—opportunity for our working families, young people, and our communities, both rural and urban.

A place where it doesn't matter if you're rich or poor, young or old, male or female.

Where your last name and zip code aren't nearly as important as your ability to dream and willingness to reach for it.

A place where, if life got in the way of those dreams, you can make a new start.

And if you've made mistakes, you can find a second chance.

My vision for the future of Iowa hasn't changed. But the future I see isn't around the corner, or after the next election. The future is now. The time is now to deliver on the promises we've made to Iowans looking for a way up.

It starts by taking the next step to prepare Iowans for dynamic careers and lifelong learning.

That's Future Ready Iowa.

At its core, Future Ready Iowa recognizes that there is dignity in meaningful work, that Iowans yearn for the opportunity to better themselves, and that those opportunities exist right here in Iowa.

It directs resources where we need them most. Identifying high-demand jobs like computer programmers and electricians. Educating Iowans about those great opportunities while providing support for individuals seeking those rewarding careers.

We've already started putting the policy into action. Last fall, Future Ready Iowa summits were hosted in 18 communities across the state.

We brought together employers, educators and local leaders, to discuss how communities could use the Future Ready Iowa Act as a springboard to propel Iowans into new careers.

In fact, after one of the summits, the North Scott superintendent decided to launch a Registered Apprenticeship program for advanced manufacturing. Local employers like John Deere and Eagle Engineering already have expressed interest. And students, like Myah Harrington, are eager to sign up.

To encourage education and training beyond high school, Fareway has started a program to help employees pay down their student debt. And Ruan Transportation started a technology apprenticeship program that will give young Iowans yet another great career path.

We will see this play out again and again over the next few years.

Future Ready Iowa is a powerful tool to grow family incomes, meet employer needs and strengthen communities.

The time is now to invest in Iowans and their future. Today, I'm calling on the Legislature to take the next step, to appropriate \$20 million to fund the plan we put in place last session.

This investment will take Iowa to the next level. And more important, it will give more Iowans an opportunity to find a rewarding career.

Of course, the road to finding a rewarding career doesn't start after high school. A strong K-12 education system is the foundation of any state, and Iowa has a solid foundation to build upon.

Our schools are filled with innovative teachers, who are making things happen; we have the most extensive teacher leadership and compensation system in the country; a nationally recognized STEM initiative; and we're getting closer to our goal to have students reading proficiently by the end of third grade.

That's just a sample of the critical work that is underway in our state. But there is always more to do.

Kids today are growing up immersed in a world of digital technology. The workforce is continually impacted by innovation and globalization. And we need an education system that adapts to those changes.

Because of our investment in STEM, apprenticeships, work-based learning and computer science, it's happening now across our state.

In August we launched a new program called Computer Science is Elementary. Through STEM grants, this public-private partnership will transform six high-poverty elementary schools into models of computer science instruction by weaving computer coding into the class lessons.

We're also seeing other elementary schools expanding or creating computer science programs.

Clear Lake is expanding coding and other fundamentals for fourth- and fifth-graders; Kingsley-Pierson is training teachers to teach computer science; and Indianola is teaching coding to kindergarteners, first- and second-graders.

Iowa students are getting amazing real-world learning experiences.

Like Central Campus in Des Moines, where this week, high-school students will start a semester-long program called NeuroSMART. Through a partnership with Kemin and Des Moines University, and with the support of a STEM Council award, these students will get hands-on experience in the fields of neuroscience and business.

In the gallery today, we have students from Central Campus. Please stand to be recognized. We are excited to see what the future has in store for you.

The budget I'm submitting today proposes over \$93 million in additional funding for preschool through high school education, which includes a 2.3% increase in per pupil funding.

I'm also requesting \$11.2 million to help districts with disproportionate transportation costs.

And I'm asking for a \$1 million increase in STEM funding.

In total, that will bring our preK-12 investment to almost \$3.4 billion this year.

That's an investment we can be proud of. But Iowans also know that a quality education can't be reduced to a dollar figure or a percentage increase. It's about one thing and one thing only: How well we prepare our children to succeed.

Over the last eight years, I've been fortunate to travel the nation and the world on behalf of Iowa.

These trips have provided ideas on what we can do better, but they've also given me perspective on what makes Iowa so unique.

From river to river and border to border, Iowa is speckled with vibrant communities, each with its own character and story to tell.

Every 10, 15 or 20 miles, there's another town, with another school brimming with pride, and another Main Street filled with excitement and hope.

These welcoming and unique communities motivate thousands to ride their bikes from the Missouri to the Mississippi each year. They're what gives Iowa its character.

Unfortunately, in some places, that character is fading. We cannot let that happen.

Our communities and Main Streets tell a story to the outside world. My question for each of you is this: How do we want our story to read?

That we've given up, or that we have hope for the future? That we're tired, or full of energy? That we've lost our vision, or are innovative and creative? That we're fading or growing?

As I travel all 99 counties, I've seen the story that many Iowans are writing and the potential to do more.

That's what led me to create the Governor's Empower Rural Iowa Initiative, a partnership between my office and the Iowa Rural Development Council.

Led by Lt. Governor Gregg and Sandy Ehrig, the initiative focused on connecting, investing and growing our rural communities.

I want to thank the Lt. Governor and Sandy for their leadership. And I want to thank the members of the Empower Rural Iowa Initiative for their work in providing the initial recommendations.

It's no secret, we need to keep our rural communities connected if we hope to keep our young people or attract others to Iowa. Over a century ago, a town's proximity to the railroad was key; over the last 100 years, our focus has been on highways and interstates. And, by the way, it's that focus that finally gave us a completed four-lane Highway 20.

Now, though, it's virtual connectivity that has become essential. Businesses, schools, hospitals, and even our combines, rely on high-speed internet.

We have come a long way already. U.S. News & World Report says "the Hawkeye state leads the nation in efforts to bring ultra-fast internet access to every city block and every rural acre." But there's still more to do.

To ensure that every part of Iowa has the same opportunity, I am requesting \$20 million, split over two years, for broadband infrastructure. This funding will accelerate expansion and leverage an additional \$120 million in private investment for high-speed internet.

Rural communities also can't thrive without access to housing. Businesses in rural Iowa are growing and hiring, but the employees they need won't make the move if there's no place for their family to call home.

I am therefore requesting that we double the amount of workforce housing tax credits that are set aside for rural communities, putting the total at \$10 million. I'm also asking that these tax credits be competitive, meaning that they will go to those projects that are well planned, not just first in line.

When it comes to building strong communities, the talent is there. The drive is there. And often, the programs are there, but the coordination isn't.

That's why I'm announcing the establishment of a Center for Rural Revitalization within the Iowa Economic Development Authority. This center will focus on making rural Iowa an even greater priority and give our Main Streets a roadmap for success.

In places like Jefferson, Iowans are already showing that, with ingenuity and drive, our small towns can be as vibrant as they've ever been.

Since 2012, over 100 Greene County residents volunteered more than 29,000 hours to raise funds, write grants and work on committees.

They've transformed downtown Jefferson, attracting 14 businesses and rehabbing dozens of buildings. And recently, voters overwhelmingly approved a bond referendum that will build a new high school that will house a career academy that will feed a new downtown business called the Forge.

The Forge, which is owned by Pillar Technologies, will employ 30 technology consultants, many of them just out of high school. Pillar has successfully brought this same concept to Silicon Valley, Columbus, Ohio, Ann Arbor, Michigan, and recently Des Moines.

And now it's coming to downtown Jefferson.

Why? Because even people in our nation's largest cities can see what rural Iowa has to offer. People like Kevin Scott, the chief technology officer of Microsoft and a group of technology investors who paid a visit to Jefferson just last month.

Not every Iowa town will be home to a new technology consulting firm. But we should help ignite every community with the passion of the people of Greene County, some of whom are with us here today. Thank you for being that spark. Please stand up and be recognized.

Since taking the oath of office, one of my priorities has been to create an integrated and coordinated health care system. We made great strides on that effort last year.

We passed legislation that gave Iowans affordable health care options.

We worked diligently, and still are, to ensure that our Medicaid program is sustainable and focused on patient outcomes.

And we unanimously passed mental health reform, which built on the changes we began in 2013.

And we're seeing results. In a recent report, Mental Health America declared that Iowa's overall mental health system is the seventh best in the nation, and third when it comes to the adult system.

That's before the legislation from last year has been fully implemented.

This year, the mental health regions will continue developing new services. To help sustain them, I've set aside an additional \$11 million in my two-year Medicaid budget.

And I'm calling on the Legislature to extend the time the regions have to spend down their capital balances and to increase the percentage of their operating budgets that may be carried from one year to the next.

There may still be more to do, so I'm asking everyone in this chamber to work with me to ensure that we have sustainable funding that will keep our mental health system strong.

Another essential piece of a strong mental health system is having adequate behavioral healthcare providers. To build on the existing psychiatric residency program, my budget proposes to fund four additional psychiatric residencies at the University of Iowa for doctors who will practice in rural communities. And I'm asking the Legislature to appropriate additional money to train nurse practitioners and physician assistants in mental health.

Our efforts aren't over yet. But by working together, we will have the best adult mental health system in the country.

When it comes to our children and their changing mental health needs, we are not as far along.

That's not for a lack of talking about it. We've been doing that for more than 20 years.

It's time to move past the talking phase.

There is no worse pain than that of a child who is suffering in silence. And there is no greater agony than that of a parent who watches helplessly—not knowing where or to whom they can turn.

Diagnosing and healing illness is never guaranteed, but when it comes to physical pain parents know the path to get there. "The doctor will see you now," is usually just a few minutes or hours away.

When it comes to mental health, however, part of the fear and the pain is in not knowing where to begin. In being told "no one provides those services" or "your child is on a wait list, we can see her in two to three months."

We must create a children's mental health system where the path to healing is clearly marked. A system that lets parents know where to begin—and that their child can begin immediately.

That's why, at the end of last session, I signed an executive order creating a children's mental health board. I asked this group of educators, mental health professionals, parents, legislators and children's advocates to devise a plan and create a structure for a children's mental health system.

The board has completed its initial task, and based on its recommendation, I will be introducing a bill that finally creates a children's system that will work in tandem with our adult system.

I'm also calling on the Legislature to appropriate additional money for home- and community-based children's mental health services so that we can eliminate the waiting list that currently exists.

And I'm requesting \$3 million to train teachers to better recognize early signs of mental illness.

Creating a comprehensive children's mental health system will take time. But we can and must take action. The days of merely talking are over.

Three years ago, we began to offer apprenticeship programs in our state prisons. The concept isn't hard to understand: Most of our inmates aren't inmates for life. They will reenter society—and when they do, we want them to be successful. Those who can't get a job often find their way back to crime and then back to prison.

So from a public safety perspective, training our inmates is the right thing to do.

But there's more to it than that. As I said earlier, there is dignity in work. There is also beauty in grace.

Talk with someone who, by their own actions, hit rock bottom but decided to turn their life around. Watch their face light up when they tell you about the person who offered them a helping hand. A family member, a friend, or maybe a stranger.

There are few things as powerful as the joy of someone who got a second chance and found their purpose.

If you talk to Michael Willoughby or Steve Shewry, you'll see it. Both men completed an apprenticeship program in prison: Michael prepared to be a computer operator and Steve prepared for a career in welding. Both men committed serious crimes.

Today, both men are star employees at jobs they landed before leaving prison. They were offered a second chance, they took it, and they succeeded.

Frontier Co-Op in Norway and Winger Companies in Ottumwa are the other half of this story. Those are the employers who saw something in Michael and Steve. They looked beyond the rap sheet and found high-quality employees for hard-to-fill jobs.

Too often, employers overlook these skilled workers because of the fear of lawsuits. Let's take that off the table. Our correctional system and parole board are the judge of whether an inmate is ready to be released. Let's not punish employers for offering an offender a second chance. I am also calling on the Legislature to send me a bill that protects employers like Frontier and Winger who hire Iowans with criminal records.

Michael and Steve are with us today. So are Megan Schulte, head of human resources at Frontier, and Jim Keck, general manager of Winger. Thank you for showing us the value of second chances.

Now, more than ever, we need people like Michael and Steve. We have a skilled worker shortage and prisons full of inmates, many of whom will soon re-enter society. Let's get them the skills they need and place them with the Frontiers and Wingers of this state.

To that end, I am announcing today that we are establishing a new home building program at the Newton Correctional Facility. In partnership with the nonprofit Homes for Iowa, this program will provide housing that is needed throughout rural Iowa. And it will provide training for jobs that are in high demand. It's a win-win.

There are other programs across the state that are working to ensure criminal offenders are finding a new purpose.

Through a pilot program, the Department of Corrections is currently working with Iowa Central Community College in Fort Dodge to offer Pell Grants to prison inmates. This program is one of the most successful in the country, with more than 420 students participating, earning an average GPA of 3.5.

I also recently met with a group of Iowans, led by Tim Krueger, who are working to bring a nonprofit organization called The Other Side Academy to Des Moines. It's a two-year residential rehabilitation program that is an alternative to prison or jail. And it operates without government funding, sustaining itself through the businesses run by its participants.

These are just two examples. Together, I believe there is even more we can do.

And we can start with felon voting. Our constitution takes away the voting rights of anyone convicted of a felony. Forever.

Only two other state constitutions have a similar provision, and last November, the people of Florida voted to remove their ban.

Through the power of clemency, the governor can restore those rights, and I have done that 88 times since taking office.

But I don't believe that voting rights should be forever stripped, and I don't believe restoration should be in the hands of a single person.

After the election, an Iowan stopped me at my grandson's basketball game in Waukee. I had restored his rights and he wanted to tell me, in person, how much it meant to him. How, when he stepped into the voting booth, he felt a dignity that had been missing, even after leaving prison.

I don't think this man and others like him who have completed their sentences should have to wait for my say or any future governor's say before they get that dignity back.

Our founders gave us a process to amend the constitution, should the passage of time change our view. Let's begin that process now. I believe Iowans recognize the power of redemption; let's put this issue in their hands.

That's not the only constitutional amendment we should consider.

As it should, our constitution deals extensively with the rights of the accused and convicted. But it never mentions victims.

In all of the focus on second chances and forgiveness, we should never forget about the victims. I know each of you in this room believe that. So let's show it. This year, let's start the process of enshrining victim's rights into the Iowa Constitution. Like 36 other states have done, let's send victims a loud and clear message: We will protect you.

Over the next few months, I look forward to working with all of you to enact these priorities and yours. Whether it's looking for ways to further reform our tax code, or passing legislation that strengthens our health care system, I am excited for what's in store.

We have laid the foundation for a bright future. Let's build on it.

The time is now to finish what we started.

The time is now to cement Iowa's status as the best state in the nation.

The time is now to deliver on the promises we've made to Iowans looking for a way up.

Thank you, God bless you, and God bless the great state of Iowa.

Governor 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 Whitver, the Senate adjourned at 10:47 a.m. until 9:00 a.m., Wednesday, January 16, 2019.

#### 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:

##### AUDITOR OF STATE

Targeted Small Business Compliance Report, pursuant to Iowa Code section 11.26. Report received on January 15, 2019.

## ECONOMIC DEVELOPMENT AUTHORITY

2018 Iowa Targeted Small Business Loan Program Report, pursuant to 2014 Iowa Acts, Chapter 1124, section 10. Report received on January 15, 2019.

Targeted Small Business Report, pursuant to Iowa Code section 15.108. Report received on January 15, 2019.

## DEPARTMENT OF EDUCATION

Additional Data Report, pursuant to Iowa Code section 260C.14. Report received on January 15, 2019.

Adult Education and Literacy Program Report, pursuant to Iowa Code section 260C.50. Report received on January 15, 2019.

Gap Tuition Assistance Program Report, pursuant to Iowa Code section 260I. Report received on January 15, 2019.

Iowa Community Colleges 260G Ace Infrastructure Report, pursuant to Iowa Code section 260G. Report received on January 15, 2019.

Online Learning in Iowa Annual Report, pursuant to 2018 Iowa Acts, [SF 475](#), Chapter 1119, section 3. Report received on January 15, 2019.

Pathways for Academic Career and Employment (PACE) Program Report, pursuant to Iowa Code section 260H. Report received on January 15, 2019.

Statewide Work-Based Intermediary Network Report, pursuant to Iowa Code section 256.40. Report received on January 15, 2019.

## BOARD OF EDUCATIONAL EXAMINERS

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on January 14, 2019.

## DEPARTMENT OF NATURAL RESOURCES

Proceeds Deposited to the State Fish and Game Protection Fund, pursuant to 2018 Iowa Acts, Chapter 1150, section 8. Report received on January 15, 2019.

## DEPARTMENT OF TRANSPORTATION

Highway Construction Program Expenditures and Contractual Obligations, pursuant to Iowa Code 307.12. Report received on January 15, 2019.

## UTILITIES BOARD

Customer Contribution Utility Fund Report, pursuant to Iowa Code section 476.66. Report received on January 14, 2019.

## CERTIFICATES OF RECOGNITION

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

Colin Johnson, Rockwell City—For achieving the rank of Eagle Scout, Troop #94. Senator Kraayenbrink.

Jacy McAlexander, Rockwell City—For achieving the rank of Eagle Scout, Troop #94. Senator Kraayenbrink.

## REPORTS OF COMMITTEE MEETINGS

### NATURAL RESOURCES AND ENVIRONMENT

**Convened:** Tuesday, January 15, 2019, 2:40 p.m.

**Members Present:** Rozenboom, Chair; Shipley, Vice Chair; Hogg, Ranking Member; Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach.

**Members Absent:** Behn (excused).

**Committee Business:** Organizational meeting.

**Adjourned:** 3:00 p.m.

### TRANSPORTATION

**Convened:** Tuesday, January 15, 2019, 1:30 p.m.

**Members Present:** Kapucian, Chair; Brown, Vice Chair; Danielson, Ranking Member; Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach.

**Members Absent:** Breitbach (excused).

**Committee Business:** Rules.

**Adjourned:** 1:50 p.m.

## INTRODUCTION OF RESOLUTIONS

[Senate Joint Resolution 2](#), by Zaun, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the state budget by creating a state general fund expenditure limitation.

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

[Senate Joint Resolution 3](#), by Dawson, a joint resolution proposing amendments to the Constitution of the State of Iowa limiting years of service for members of the general assembly and the governor.

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

## INTRODUCTION OF BILLS

[Senate File 4](#), by Hogg, a bill for an act appropriating moneys to the flood mitigation fund for the protection of property from the effects of floodwaters.

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

[Senate File 5](#), by Sinclair, a bill for an act repealing the property tax exemption for forest reservations and including applicability provisions.

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

[Senate File 6](#), by Lofgren, a bill for an act relating to contractor warranties including by providing for the transfer of contractor warranties upon the passage of legal or equitable title in the property, requiring information relating to contractor warranties in real estate disclosure statements, making penalties applicable, and including applicability provisions.

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

[Senate File 7](#), by Kinney, a bill for an act relating to peace officers, reserve peace officers, and federal officers going armed with, carrying, or transporting a firearm on school grounds.

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

[Senate File 8](#), by Zaun, a bill for an act providing for the sale or lease of the Iowa communications network.

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

[Senate File 9](#), by Zaun, a bill for an act establishing a multiple sclerosis support fund and authorizing lottery games to benefit persons with multiple sclerosis.

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

[Senate File 10](#), by Zaun, a bill for an act relating to grandparent and great-grandparent visitation.

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

[Senate File 11](#), by Zaun, a bill for an act relating to the awarding of joint custody and joint physical care.

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

[Senate File 12](#), by Bolkcom, a bill for an act establishing an interim study committee to review and develop recommendations for the appointment of a special prosecutor for incidents involving the use of deadly force by a peace officer.

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

[Senate File 13](#), by Bolkcom, a bill for an act relating to carrying or possessing a dangerous weapon when entering real property if a written notice forbidding such entry has been conspicuously posted, and providing penalties.

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

[Senate File 14](#), by Bolkcom, a bill for an act relating to the expungement of violations of local ordinances.

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

[Senate File 15](#), by Bolkcom, a bill for an act relating to the collection of employer information from Iowa health and wellness plan applicants and recipients.

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

[Senate File 16](#), by Bolkcom, a bill for an act relating to the provision of Medicaid coverage to pregnant women lawfully residing in the United States.

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

[Senate File 17](#), by Bolkcom, a bill for an act relating to the coverage of direct-acting antiviral drugs for Medicaid beneficiaries living with a chronic hepatitis C virus infection.

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

[Senate File 18](#), by Zaun, a bill for an act relating to the elimination of the certificate of need process relating to the development of a new or changed institutional health service.

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

[Senate File 19](#), by Zaun, a bill for an act relating to the disclosure of the prices charged for health services rendered by health care providers and hospitals.

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

[Senate File 20](#), by Zaun, a bill for an act relating to animal feeding operations, by providing for certain air and water quality regulations, including when two or more related confinement feeding operations are deemed to be a single operation, making penalties applicable, and including effective date and applicability provisions.

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

[Senate File 21](#), by Zaun, a bill for an act increasing the amount of total approved tax credits for purposes of the school tuition organization tax credit.

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

[Senate File 22](#), by Zaun, a bill for an act relating to the exclusion of certain retirement income from the calculation of net income, and including retroactive applicability provisions.

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

[Senate File 23](#), by Bolkcom, a bill for an act limiting the amount of research activities tax credit that is refundable and including retroactive applicability provisions.

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

[Senate File 24](#), by Bolkcom, a bill for an act relating to the use of triclosan in certain products, providing civil penalties, and including effective date provisions.

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

[Senate File 25](#), by Zaun, a bill for an act relating to the sale, lease, or rental of water treatment systems and including effective date and applicability provisions.

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

[Senate File 26](#), by Zaun, a bill for an act increasing the speed limit on the interstate road system.

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

[Senate File 27](#), by Zaun, a bill for an act relating to the establishment of tenure systems at public postsecondary educational institutions.

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

[Senate File 28](#), by Zaun, a bill for an act relating to education by modifying the duties and authority of certain state and local governmental entities, establishing an education savings grant program and fund, making appropriations, providing penalties, and including effective date and applicability provisions.

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

[Senate File 29](#), by Zaun, a bill for an act relating to additional weighting for limited English proficient students and including effective date and applicability provisions.

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

[Senate File 30](#), by Zaun, a bill for an act relating to the Iowa core curriculum and to assessment and content standards for school districts and accredited nonpublic schools and including effective date provisions.

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

[Senate File 31](#), by Zaun, a bill for an act establishing a limitation on the amount of administrative costs for school districts.

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

[Senate File 32](#), by Lofgren, a bill for an act relating to a petition by a school board for amendment or repeal of a rule adopted by the state board of education.

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

[Senate File 33](#), by Segebart, a bill for an act providing for the designation of a caregiver relating to a patient's inpatient stay at a hospital.

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

[Senate File 34](#), by Brown, a bill for an act relating to notices by the department of workforce development regarding claims for unemployment benefits.

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

[Senate File 35](#), by Danielson, a bill for an act relating to the counting of absentee ballots and including applicability provisions.

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

[Senate File 36](#), by Zaun, a bill for an act requiring that a primary runoff election be held in the event of an inconclusive primary election for certain offices, and including effective date and applicability provisions.

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

[Senate File 37](#), by Zaun, a bill for an act creating a tax credit against the individual and corporate income taxes, the franchise tax, insurance premiums tax, and the moneys and credits tax for a charitable contribution to certain institutions engaged in regenerative medicine research and including retroactive and other applicability provisions.

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

[Senate File 38](#), by Zaun, a bill for an act providing a property assessment adjustment for certain property of persons who have attained the age of sixty-five, providing a penalty, and including retroactive and other applicability provisions.

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

[Senate File 39](#), by Zaun, a bill for an act reducing the state inheritance tax rates and providing for the future repeal of the state inheritance tax and state qualified use inheritance tax.

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

[Senate File 40](#), by Zaun, a bill for an act providing an exemption from the computation of the individual income tax of certain amounts of retirement income and including retroactive applicability provisions.

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

[Senate File 41](#), by Zaun, a bill for an act exempting from the individual income tax the wages of individuals who provide services to disabled individuals and including effective date and applicability provisions.

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

[Senate File 42](#), by Zaun, a bill for an act allowing the display of one registration plate on the rear of certain older, reconstructed, and specially constructed motor vehicles.

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

[Senate File 43](#), by Breitbach, a bill for an act to increase the maximum capacity of certain motor vehicles operated by school district employees to transport children to activity events or from school to home in unusual situations.

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

[Senate File 44](#), by Bolkcom, a bill for an act relating to recording custodial interrogations in a criminal or juvenile case.

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

[Senate File 45](#), by Zaun, a bill for an act requiring search warrants for certain activities under the jurisdiction of the natural resource commission.

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

[Senate File 46](#), by Chapman, a bill for an act relating to fishing on a private lake or pond.

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

[Senate File 47](#), by Chapman, a bill for an act relating to youth deer and youth wild turkey hunting licenses.

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

[Senate File 48](#), by Chapman, a bill for an act to exclude equine boarding from the annual lease termination requirements for farm tenancies.

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

[Senate File 49](#), by Chapman, a bill for an act requiring county and city property assessors to stand for retention at election and including applicability provisions.

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

#### STUDY BILLS RECEIVED

[SSB 1001](#)      **Judiciary**

Relating to financial responsibility requirements for liability arising out of the ownership, maintenance, or use of a motor vehicle.

[SSB 1002](#)      **Judiciary**

Allowing certain operating-while-intoxicated offenders to be sentenced as habitual offenders, and making penalties applicable.

[SSB 1003](#)      **Judiciary**

Relating to the requirements for certifications of trust and including applicability provisions.

[SSB 1004](#)      **Judiciary**

Prohibiting the use of automated or remote systems for traffic law enforcement, requiring the removal of existing systems, and including effective date provisions.

[SSB 1005](#)      **Judiciary**

Relating to postconviction relief procedure and the underlying trial court record of the proceedings challenged.

**SSB 1006**      **Judiciary**

Relating to the practice of massage therapy, and providing penalties.

**SSB 1007**      **Judiciary**

Allowing county attorneys and assistant county attorneys to obtain a professional permit to carry weapons.

**SSB 1008**      **Judiciary**

Relating to restrictions on bailable defendants charged with homicide by motor vehicle.

**SSB 1009**      **Judiciary**

Establishing the criminal offense of assault by threat of a targeted attack, and providing penalties.

**SSB 1010**      **Judiciary**

Relating to certain liability insurance policy information required to be given to claimants.

**SSB 1011**      **Judiciary**

Relating to unintentionally causing the death of a person by operating a motor vehicle at an excessive speed, providing penalties, and making penalties applicable.

**SSB 1012**      **Judiciary**

Relating to the possession of marijuana, and providing penalties.

**SSB 1013**      **Judiciary**

Relating to the calculation of certain court costs in probate matters, and including effective date and applicability provisions.

**SSB 1014**      **Judiciary**

Relating to the definition of vulnerable elder.

**SSB 1015**      **Judiciary**

Relating to the exploitation of a dependent adult by a caretaker.

**SSB 1016**      **Judiciary**

Relating to expert witness testimony in child sexual abuse and child endangerment cases.

**SSB 1017**      **Judiciary**

Relating to going armed with, carrying, or transporting a firearm when transporting a person to or from a school or delivering an item to the school.

**SSB 1018**      **Judiciary**

Relating to the opening of guardianships for adults and conservatorships for adults and minors and the administration of guardianships and conservatorships.

**SSB 1019**      **Commerce**

Relating to stocking of waters located on private property.

**SSB 1020**      **Commerce**

Relating to the special employment security contingency fund and funding of an insurance fraud bureau special fund, and including effective date and retroactive applicability provisions.

**SSB 1021**      **Commerce**

Relating to manufacturers of native distilled spirits and beer.

**SSB 1022**      **Veterans Affairs**

Relating to the military service property tax exemption and credit by increasing the exemption amount, and including applicability provisions.

**SSB 1023 Veterans Affairs**

Concerning the display of the POW/MIA flag on public buildings.

**SSB 1024 Transportation**

Relating to electric standup scooters, and providing penalties.

**SSB 1025 Transportation**

Relating to department of transportation employees designated as peace officers, and including effective date provisions.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 1**

WAYS AND MEANS: Feenstra, Chair; Chapman and Quirmbach

**Senate File 3**

JUDICIARY: Shipley, Chair; Bisignano and Whiting

**Senate File 7**

JUDICIARY: Kinney, Chair; Chapman and Sinclair

**Senate File 21**

WAYS AND MEANS: Feenstra, Chair; Jochum and R. Smith

**Senate File 22**

WAYS AND MEANS: Chapman, Chair; Dotzler and R. Smith

**Senate File 23**

WAYS AND MEANS: Feenstra, Chair; Bolcom and Dawson

**SSB 1001**

JUDICIARY: Sweeney, Chair; Hogg and Schultz

**SSB 1002**

JUDICIARY: Nunn, Chair; R. Taylor and Whiting

[SSB 1003](#)

JUDICIARY: Chapman, Chair; Hogg and Shipley

[SSB 1004](#)

JUDICIARY: Zaun, Chair; Bisignano and Chapman

[SSB 1005](#)

JUDICIARY: Dawson, Chair; Sweeney and Taylor

[SSB 1006](#)

JUDICIARY: Zaun, Chair; Petersen and Sweeney

[SSB 1007](#)

JUDICIARY: Nunn, Chair; Kinney and Sinclair

[SSB 1008](#)

JUDICIARY: Nunn, Chair; R. Taylor and Whiting

[SSB 1009](#)

JUDICIARY: Chapman, Chair; Kinney and Shipley

[SSB 1010](#)

JUDICIARY: Sinclair, Chair; Hogg and Whiting

[SSB 1011](#)

JUDICIARY: Schultz, Chair; Garrett and R. Taylor

[SSB 1012](#)

JUDICIARY: Dawson, Chair; Kinney and Zaun

[SSB 1013](#)

JUDICIARY: Dawson, Chair; Garrett and Hogg

[SSB 1014](#)

JUDICIARY: Dawson, Chair; Kinney and Shipley

[SSB 1015](#)

JUDICIARY: Dawson, Chair; Kinney and Shipley

[SSB 1016](#)

JUDICIARY: Garrett, Chair; Kinney and Sweeney

[SSB 1017](#)

JUDICIARY: Schultz, Chair; Kinney and Sinclair

[SSB 1018](#)

JUDICIARY: Dawson, Chair; Bisignano and Shipley

[SSB 1019](#)

COMMERCE: Chapman, Chair; Brown and Mathis

[SSB 1020](#)

COMMERCE: Chapman, Chair; Bolcom and Brown

[SSB 1021](#)

COMMERCE: Breitbach, Chair; Bisignano and Brown

[SSB 1022](#)

VETERANS AFFAIRS: Dawson, Chair; Carlin and Ragan

[SSB 1023](#)

VETERANS AFFAIRS: Lofgren, Chair; Carlin and Dotzler

[SSB 1024](#)

TRANSPORTATION: Brown, Chair; T. Taylor and Zumbach

[SSB 1025](#)

TRANSPORTATION: Kapucian, Chair; Danielson and Shipley

## REPORTS OF THE SECRETARY OF STATE

January 14, 2019

W. Charles Smithson  
Secretary of the Senate  
State Capitol  
Des Moines, Iowa 50319

Dear Secretary Smithson,

Enclosed you will find a copy of the required report filed pursuant to Iowa Code section 49A.3. Due to a procedural oversight, my office failed to cause SJR #2006 and HJR #2009 to be published in two newspapers of general circulation in each congressional district in the state for the three months preceding the November 2018 General Election.

I accept full responsibility for this oversight and offer my sincerest apology to the legislators and supporters who worked so hard on these bills. There is no excuse, and I am instituting a system that will ensure an error like this never happens again. I have been a vocal supporter of both measure and I deeply regret this oversight. I am truly sorry.

At my direction, my staff has adopted a policy for identifying proposed constitutional amendments for publication. As a part of this policy, we would ask that you, or another member of your staff, flag any proposed constitutional amendments for special attention prior to submitting them to the Secretary of State for filing. Additionally, at the conclusion of each legislative session, I would request a meeting with both yourself and the Chief Clerk of the House to review the journals and discuss any joint resolutions that require action on the part of the Secretary of State.

As you are aware, a similar oversight occurred in 2004 under the Chet Culver administration. To the best of my knowledge, no information regarding the Culver oversight, or constitutional amendments generally, was included in transition documents provided to me in December 2014. To ensure that future Secretaries of State are informed about the constitutional amendment process, my office's new policy will be included with transition documents at the time that a new Secretary of State is elected. Additionally, I intend to have a letter to all future Secretaries printed into the record book kept by pursuant to Iowa Code section 49A.3.

Finally, I would request that the legislature review Iowa Code Chapter 49A and determine if there are any legislative safeguards that can be put in place to prevent this oversight from occurring in the future. An option the legislature may consider is moving the duty of publication to the Legislative Services Agency and amending the definition of publication to include publication on an Internet website. As a non-partisan agency, LSA does not experience the same turnover and loss of institutional knowledge as the Secretary of State's Office and already has a process in place to automatically publish all joint resolutions on their website, which is free and available to all Iowans. Allowing the publication requirements to be met using LSA's website is a step that helps modernize the constitutional amendment process and better reflect how Iowan's receive their news.

In closing, while there is not a quick fix for this situation, I can guarantee that I will do everything in my power to prevent future oversights.

Sincerely,

Paul D. Pate  
Secretary of State  
State of Iowa

**I, Paul D. Pate, Secretary of the State of Iowa**, do hereby certify that the following newspapers were designated to publish SENATE JOINT RESOLUTION #206, Acts of the Eighty-seventh General Assembly. Publication in accordance with Chapter 49A, Code of Iowa, did not occur.

<u>Congressional District</u>	<u>Newspaper</u>	<u>2018 Dates of Publication</u>
First	Dubuque Telegraph Herald, Dubuque	8/X, 9/X, 10/X
	Cedar Rapids Gazette, Cedar Rapids	8/X, 9/X, 10/X
Second	Quad City Times, Davenport	8/X, 9/X, 10/X
	Iowa City Press Citizen, Iowa City	8/X, 9/X, 10/X
Third	Des Moines Register, Des Moines	8/X, 9/X, 10/X
	Council Bluffs Nonpareil, Council Bluffs	8/X, 9/X, 10/X
Fourth	Ames Daily Tribune, Ames	8/X, 9/X, 10/X
	Sioux City Journal, Sioux City	8/X, 9/X, 10/X

IN TESTIMONY WHEREOF, I hereunto set my Hand  
and affixed seal of the Secretary of State at the  
Capitol, in Des Moines, this fourteenth day of January, 2019.

PAUL D. PATE, Secretary of State of the State of Iowa

I, Paul D. Pate, Secretary of the State of Iowa, do hereby certify that the following newspapers were designated to publish HOUSE JOINT RESOLUTION #209, Acts of the Eighty-seventh General Assembly. Publication in accordance with Chapter 49A, Code of Iowa, did not occur.

<u>Congressional District</u>	<u>Newspaper</u>	<u>2018 Dates of Publication</u>
First	Dubuque Telegraph Herald, Dubuque	8/X, 9/X, 10/X
	Cedar Rapids Gazette, Cedar Rapids	8/X, 9/X, 10/X
Second	Quad City Times, Davenport	8/X, 9/X, 10/X
	Iowa City Press Citizen, Iowa City	8/X, 9/X, 10/X
Third	Des Moines Register, Des Moines	8/X, 9/X, 10/X
	Council Bluffs Nonpareil, Council Bluffs	8/X, 9/X, 10/X
Fourth	Ames Daily Tribune, Ames	8/X, 9/X, 10/X
	Sioux City Journal, Sioux City	8/X, 9/X, 10/X

IN TESTIMONY WHEREOF, I hereunto set my Hand  
and affixed seal of the Secretary of State at the  
Capitol, in Des Moines, this fourteenth day of January, 2019.

PAUL D. PATE, Secretary of State of the State of Iowa