

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, JANUARY 23, 2019

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

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 23, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was offered by the Honorable Dennis Guth, member of the Senate from Hancock County, Klemme, Iowa.

The National Anthem was sung by Justin Grawe from West Delaware High School in Manchester, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page John Meis.

The Journal of Tuesday, January 22, 2019, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:08 a.m. until 9:00 a.m., Thursday, January 24, 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:

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

Expenditures Report FY 19, September 30, 2018, pursuant to 2018 Iowa Acts, [HF 2491](#), section 1. Report received on January 23, 2019.

Expenditures Report FY 19, December 31, 2018, pursuant to 2018 Iowa Acts, [HF 2491](#), section 1. Report received on January 23, 2019.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, January 16, 2019, 1:00 p.m.

Members Present: Zumbach, Chair; Sweeney, Vice Chair; Kinney, Ranking Member; Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls.

Members Absent: None.

Committee Business: Senator Zumbach called the Agriculture Committee to order at 1:01 p.m. Roll call was taken silently by the secretary. Those not present were excused until they arrived. Motion by Senator Shipley to approve the minutes from the previous meeting. Approved. Senator Zumbach recognized Vice Chair Sweeney and Ranking Member Kinney for introductions. Introductions were made by committee members and visitors. A motion was made by Senator Kinney to add additional rules. Roll call vote: Nays: Brown, Costello, Edler, Kapucian, Rozenboom, Shipley, Sweeney, and Zumbach. Yeas: Kinney, Mathis, Ragan, R. Taylor, and Wahls. Motion defeated 8-5.

Adjourned: 1:30 p.m.

COMMERCE

Convened: Tuesday, January 15, 2019, 3:05 p.m.

Members Present: Chapman, Chair; Koelker, Vice Chair; Lykam, Ranking Member; Bisignano, Bolkom, Brown, Dawson, Johnson, Mathis, Miller-Meeks, Nunn, Petersen, Quirnbach, Sinclair and R. Smith.

Members Absent: Breitbach and Feenstra (both excused).

Committee Business: Senator Quirnbach offered the following amendment "The time and place of the subcommittee meetings shall be posted 24 hours in advance of the meeting. The chair may waive the 24 hour posting before or after the subcommittee." Senator Chapman was recognized for comments. Senator Quirnbach was recognized for closing comments. A record roll call was called and the following senators voted "nay": Chapman, Koelker, Bisignano, Brown, Dawson, Johnson, Miller-Meeks, Nunn, Sinclair, and R. Smith. The following senators voted "yea": Lykam, Bolkom, Mathis, Petersen, and Quirnbach. Senators Breitbach and Feenstra were excused and the amendment failed. Senator Mathis was recognized for comments and had questions for Senator Chapman. The rules for the committee passed via a voice vote.

Adjourned: 3:35 p.m.

ALSO:

Convened: Wednesday, January 23, 2019, 11:00 a.m.

Members Present: Chapman, Chair; Koelker, Vice Chair; Lykam, Ranking Member; Bisignano, Bolkom, Brown, Feenstra, Johnson, Mathis, Nunn, Petersen, and Sinclair.

Members Absent: Breitbach, Dawson, Miller-Meeks, Quirnbach, and R. Smith (all excused).

Committee Business: Subcommittee assignments were distributed.

Adjourned: 11:05 a.m.

EDUCATION

Convened: Wednesday, January 16, 2019, 1:30 p.m.

Members Present: Sinclair, Chair; Cournoyer, Vice Chair; Quirnbach, Ranking Member; Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun.

Members Absent: Danielson (excused).

Committee Business: Amendment LSB 9004XD.2 was brought before the committee. LSB 9004XD.2: Senator Quirnbach requested a roll call vote on LSB 9004XD.2. The amendment LSB 9004XD.2 failed with a result of the roll call vote being 4 yeas (Quirnbach, Celsi, J. Smith, and Wahls), 10 nays, and 1 excused. Amendment LSB 9004XB.3 was brought before the committee. LSB 9004XD.3: Senator Quirnbach requested a roll call vote on LSB 9004XD.3. The amendment LSB 9004XD.3 failed with a result of the roll-call vote being 4 yeas (Quirnbach, Celsi, J. Smith, and Wahls), 10 nays, and 1 excused. Amendment LSB 9004XD.4 was brought before the committee. “< __ . All germane amendments offered in committee shall be eligible for a vote.>” Senator Quirnbach requested a roll call vote on yeas. (Quirnbach, Celsi, J. Smith, and Wahls), 10 nays, and 1 excused. Senator Quirnbach requested a roll call vote on the rules. The rules were approved with a result of the roll call vote being 10 yeas, 4 nays (Quirnbach, Celsi, J. Smith, and Wahls), and 1 excused.

Adjourned: 2:30 p.m.

HUMAN RESOURCES

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

Members Present: Miller-Meeks, Chair; Segebart, Vice Chair; Mathis, Ranking Member; Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirnbach, and Ragan.

Members Absent: None.

Committee Business: Senator Bolkcom to present an amendment to the proposed committee rules. The amendment was stated, “The time and place of the subcommittee meetings shall be posted 24 hours in advance of the meeting. The chair may waive 24 hour posting before or after the subcommittee.” Senator Miller-Meeks called for a vote on the amendment to the proposed committee rules. Senator Bolkcom requested a record roll-call vote. The secretary took roll. The amendment failed yeas: 5 (Mathis, Bolkcom, Jochum, Quirnbach, and Ragan), nays: 8 (Miller-Meeks, Segebart, Carlin, Costello, Edler, Garrett, Greene, and Johnson). The chair recognized Senator Jochum to offer an amendment to the proposed committee rules. The amendment was stated, “All subcommittee meetings shall be open to the public.” Senator Jochum requested a record roll-call vote. The chair called for a vote on the amendment to the proposed committee rules. The secretary took roll. The amendment failed yeas: 5 (Mathis, Bolkcom, Jochum, Quirnbach, and Ragan), nays: 8 (Miller-Meeks, Segebart, Carlin, Costello, Edler, Garrett, Greene, and Johnson). The chair recognized Senator Quirnbach to offer an amendment to the proposed committee rules. The amendment was stated, “All germane amendments offered in committee shall be eligible for a vote.”

Senator Quirnbach requested that the wording of his amendment be recorded in the minutes. Senator Quirnbach requested a record roll call vote. The chair called for a vote on the amendment to the proposed committee rules. The secretary took roll. The amendment failed, yeas: 5 (Mathis, Bolkcom, Jochum, Quirnbach, and Ragan), nays: 8 (Miller-Meeks, Segebart, Carlin, Costello, Edler, Garrett, Greene, and Johnson). The chair called for a vote on the proposed committee rules. The secretary took roll. The committee rules passed the committee, yeas: 8 (Miller-Meeks, Segebart, Carlin, Costello, Edler, Garrett, Greene, and Johnson), nays: 5 (Mathis, Bolkcom, Jochum, Quirnbach, and Ragan.)

Adjourned: 2:35 p.m.

JUDICIARY

Convened: Tuesday, January 15, 2019, 3:40 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: None.

Committee Business: Discussion over committee rules Senator Kinney made a motion to amend committee Rule 39 and add a 24 hour subcommittee notice. Roll call vote was taken, 5 yeas: Kinney, Bisignano, Hogg, Petersen, and Taylor. 10 nays: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. The motion was defeated. Senator Kinney made a motion to amend committee Rule 39 and add that subcommittees are open to the general public. Roll call vote was taken, 5 yeas: Kinney, Bisignano, Hogg, Petersen, and Taylor. 10 nays: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. The motion was defeated. Senator Zaun made the motion to approve Rule 39. Voice vote was taken 4 nays: Bisignano, Hogg, Petersen, and Taylor. 11 yeas: Zaun, Dawson, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting, and Kinney. The motion was approved and Rule 39 was adopted.

Adjourned: 4:05 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, January 16, 2019, 1:35 p.m.

Members Present: Schultz, Chair; Whiting, Vice Chair; T. Taylor, Ranking Member; Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, R. Taylor.

Members Absent: None.

Committee Business: Discussion over committee rules. Chair clarifies publicly the 24 hour rule is waived unless the waiver is revoked for individual bills. Senator Carlin made a motion to accept the rules as presented. Senator Guth seconds the motion. A voice vote was taken, 12 yeas: Schultz, Whiting, T. Taylor, Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, and R. Taylor. 0 nays. The motion was approved to accept the rules as presented.

Adjourned: 1:55 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, January 16, 2019, 2:30 p.m.

Members Present: Edler, Chair; Greene, Vice Chair; J. Smith, Ranking Member; Boulton, Garrett, Guth, Hogg, Kraayenbrink, Lofgren, Quirnbach, and Segebart.

Members Absent: None.

Committee Business: Proposed additions to Rule 39 are as follows: 14. The time and place of subcommittee meetings shall be posted 24 hours in advance of the meeting. The committee chair may waive the 24 hour posting before or after the subcommittee. 15. All subcommittee meetings shall be open to the public. 16. All cell phones are to be non-audible. 17. All germane amendments offered in committee shall be eligible for a vote. 2:55 Senator Quirnbach comments, Senator Garrett asks Senator Quirnbach to yield. A short discussion was held. 3:00 Senator Edler, Chair, asks colleagues to resist the proposal. Senator Quirnbach comments. Closing comments on the proposed rules were made by Senator J. Smith. He asks for adoption of proposed amendments. The proposal was defeated. 4 yeas, 7 nays as a vote of record. Record vote is as follows: Edler (Chair)–no, Greene (Vice Chair)–no, J. Smith (Ranking Member)–yea, Boulton–yea, Garrett–no, Guth–no, Hogg–yea, Kraayenbrink–no, Lofgren–no, Quirnbach–yea, Segebart–no. 3:05 After dispensing of the proposed amendments a record vote was held to approve the aforementioned Rule 39, voted passed 7 yeas, 4 nays. Record vote as follows: Edler (Chair)–yea, Greene (Vice Chair)–yea, J. Smith (Ranking Member)–no, Boulton–no, Garrett–yea, Guth–yea, Hogg–no, Kraayenbrink–no, Lofgren–yea, Quirnbach–no, and Segebart–yea.

Adjourned: 3:05 p.m.

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: Senator Rozenboom asked for unanimous consent to approve the committee rules as distributed. Senator Hogg objected. Discussion ensued. Senator Kapucian motioned for their approval. Rule 39 with no amendments for Natural Resources and Environment committee were approved, as printed, on a voice roll call of 7 yeas and 5 nays. Nays were Hogg, Boulton, Celsi, Lykam, and J. Smith.

Adjourned: 3:00 p.m.

STATE GOVERNMENT

Convened: Wednesday, January 16, 2019, 2:35 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Danielson, Dawson, Jochum, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun.

Members Absent: Feenstra (excused).

Committee Business: Senator R. Smith made remarks on Rule 39, with additions of line 14 and line 15. Line 14 states “The time and place of the subcommittee meetings shall be posted 24 hours in advance of the meeting. The chair may waive 24 hour posting before or after the subcommittee.” Line 15 states: “All subcommittee meetings shall be open to the public.” A voice vote was held and Rule 39 with additional lines 14 and 15 were approved unanimously.

Adjourned: 2:55 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: Senator Kapucian introduced the rules. Senator Zumbach moved to approve the rules. The rules were unanimously approved by a voice vote.

Adjourned: 1:50 p.m.

WAYS AND MEANS

Convened: Wednesday, January 16, 2019, 4:00 p.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Chapman, Danielson, Dotzler, Edler, Quirmbach, Schultz, R. Smith, Sweeney, and Wahls.

Members Absent: Nunn (excused).

Committee Business: Senator Feenstra presented the standing committee rules (Rule 39 plus sub rules 14–17) for the 88th general assembly. Hearing no questions on the rules, a short form vote was taken, and Rule 39 plus sub rules 14–17, were unanimously adopted.

Adjourned: 4:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Thursday, January 17, 2019, 1:05 p.m.

Members Present: Shipley, Chair; Rozenboom, Vice Chair; Mathis, Ranking Member; Kinney, and Sweeney.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 1:15 p.m.

INTRODUCTION OF RESOLUTION

[Senate Joint Resolution 7](#), by Chapman, a joint resolution proposing amendments to the Constitution of the State of Iowa limiting years of service for members of the general assembly, the governor, and certain other statewide elected officers.

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

INTRODUCTION OF BILLS

[Senate File 86](#), by Brown, a bill for an act requiring the department of natural resources to include anatomical donor symbols on certain licenses.

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

[Senate File 87](#), by Bolkcom and Wahls, a bill for an act relating to the expungement of records of certain misdemeanor offenses, and including applicability provisions.

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

[Senate File 88](#), by Edler, a bill for an act relating to motor vehicles, including special registration plates and the minimum

standard of transparency for window tint, providing fees, providing penalties, and making penalties applicable.

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

[Senate File 89](#), by Edler, a bill for an act creating a homeownership development tax credit available for charitable contributions to certain low-income housing developers in this state, and including applicability provisions.

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

[Senate File 90](#), by Jochum, a bill for an act relating to the automatic mailing of ballots and including applicability provisions.

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

[Senate File 91](#), by Shipley, a bill for an act allowing an atlatl as a legal method of take during deer bow hunting seasons.

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

[Senate File 92](#), by Petersen, a bill for an act extending the limitations of certain criminal actions committed on or with minors, and providing penalties.

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

[Senate File 93](#), by Lofgren, a bill for an act relating to abandoned structures and abatement of public nuisances.

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

[Senate File 94](#), by Petersen, a bill for an act relating to promotion of the state family planning services program, and providing an appropriation.

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

[Senate File 95](#), by J. Smith, Wahls, R. Taylor, Celsi, Bisignano, Quirnbach, Bolkom, Petersen, Ragan, Mathis, Lykam, Danielson, Jochum, Dotzler, Boulton, and Hogg, a bill for an act removing prohibitions of counties and cities from establishing certain regulations relating to employment matters and the sale or marketing of consumer merchandise.

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

STUDY BILLS RECEIVED

[SSB 1039](#) **Ways and Means**

Concerning the apportionment of certain business income of an airline or a qualified air freight forwarder for purposes of Iowa corporate income tax, and including applicability provisions.

[SSB 1040](#) **Ways and Means**

Relating to special certificates issued to aircraft manufacturers, transporters, and dealers, providing fees, making penalties applicable, and including effective date and applicability provisions.

[SSB 1041](#) **Ways and Means**

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.

[SSB 1042](#) **Education**

Relating to recommendations regarding school building emergency operations plans.

SSB 1043 **Education**

To require school districts and accredited nonpublic schools to offer high school students an opportunity to take the United States citizenship and immigration services naturalization civics test, and including applicability provisions.

SSB 1044 **Commerce**

Relating to the division of domestic stock insurers.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2

TRANSPORTATION: Whiting, Chair; Brown and J. Smith

Senate File 25

COMMERCE: Chapman, Chair; Koelker and Quirmbach

Senate File 26

TRANSPORTATION: Zumbach, Chair; Cournoyer and Danielson

Senate File 37

WAYS AND MEANS: R. Smith, Chair; Edler and Quirmbach

Senate File 42

TRANSPORTATION: Brown, Chair; Lykam and Whiting

Senate File 43

TRANSPORTATION: Breitbach, Chair; Kinney and Koelker

Senate File 51

TRANSPORTATION: Whiting, Chair; Brown and J. Smith

Senate File 58

TRANSPORTATION: Shipley, Chair; Kapucian and Kinney

[Senate File 61](#)

TRANSPORTATION: Shipley, Chair; Cournoyer and Lykam

[Senate File 62](#)

TRANSPORTATION: Koelker, Chair; Breitbach and Kinney

[Senate File 69](#)

WAYS AND MEANS: Feenstra, Chair; Edler and Quirmbach

[Senate File 70](#)

EDUCATION: Kraayenbrink, Chair; Cournoyer and Danielson

[Senate File 73](#)

EDUCATION: Sinclair, Chair; Celsi and Zaun

[Senate File 74](#)

EDUCATION: Sinclair, Chair; Cournoyer, Quirmbach, J. Smith, and Sweeney

[Senate File 76](#)

JUDICIARY: Whiting, Chair; Hogg and Shipley

[Senate File 81](#)

WAYS AND MEANS: Feenstra, Chair; Dotzler and Sweeney

[Senate File 89](#)

WAYS AND MEANS: R. Smith, Chair; Bolkom and Edler

[SSB 1039](#)

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

[SSB 1040](#)

WAYS AND MEANS: Feenstra, Chair; Dawson and Quirmbach

[SSB 1041](#)

WAYS AND MEANS: R. Smith, Chair; Edler and Wahls

[SSB 1042](#)

EDUCATION: Kraayenbrink, Chair; Cournoyer and Danielson

[SSB 1043](#)

EDUCATION: Behn, Chair; Lofgren and Quirmbach

[SSB 1044](#)

COMMERCE: Sinclair, Chair; Chapman and Petersen