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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, JANUARY 31, 2019**

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# JOURNAL OF THE SENATE

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EIGHTEENTH CALENDAR DAY  
TWELFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, January 31, 2019

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

Prayer was offered by the Honorable Brad Zaun, member of the Senate from Polk County, Urbandale, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Sam Sampson.

The Journal of Wednesday, January 30, 2019, was approved.

## RECESS

On motion of Senator Whitver, the Senate recessed at 9:09 a.m. until the completion of a meeting of the committee on Rules and Administration.

## RECONVENED

The Senate reconvened at 9:13 a.m., President Schneider presiding.

## INTRODUCTION OF RESOLUTION

[Senate Resolution 1](#), by Cournoyer and Danielson, a resolution for honoring the life of Lieutenant Eric M. Hosette and in support of Adam Cain as he recovers from his injuries.

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

## FINAL COMMITTEE REPORT OF BILL ACTION

### RULES AND ADMINISTRATION

**Bill Title:** [SENATE RESOLUTION 1](#), a resolution for honoring the life of Lieutenant Eric M. Hosette and in support of Adam Cain as he recovers from his injuries.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Whitver, Schneider, Petersen, Bolkcom, Chapman, Ragan, Sinclair, and R. Smith. Nays, none. Absent, 3: Behn, Feenstra, and Jochum.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate Resolution 1](#).

#### [Senate Resolution 1](#)

On motion of Senator Cournoyer, [Senate Resolution 1](#), a resolution for honoring the life of Lieutenant Eric M. Hosette and in support of Adam Cain as he recovers from his injuries, with report of committee recommending passage, was taken up for consideration.

Senator Cournoyer moved the adoption of [Senate Resolution 1](#), which motion prevailed by a voice vote.

### ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:23 a.m. until 1:00 p.m., Monday, February 4, 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:

#### OFFICE OF THE ATTORNEY GENERAL

Medicaid Divestiture Program Report, pursuant to Iowa Code section 249F.8. Report received on January 31, 2019.

## BOARD OF PHARMACY

Iowa Prescription Monitoring Program Report, pursuant to Iowa Code section 124.554. Report received on January 31, 2019.

## IOWA PUBLIC INFORMATION BOARD

Annual Report, pursuant to Iowa Code section 23.6. Report received on January 31, 2019.

## DEPARTMENT OF TRANSPORTATION

Biodiesel and Biodiesel Blended Fuel Revolving Fund, pursuant to Iowa Code section 307.20. Report received on January 31, 2019.

Midwest Regional Rail Passenger Initiative, pursuant to Iowa Code section 327J.3. Report received on January 31, 2019.

Recycling Report, pursuant to Iowa Code section 307.21. Report received on January 31, 2019.

Secondary Road Research Fund Report, pursuant to Iowa Code section 310.36. Report received on January 31, 2019.

Street Research Fund Report, pursuant to Iowa Code section 312.3A. Report received on January 31, 2019.

## TREASURER OF STATE

Honey Creek Park Development Report, pursuant to Iowa Code section 463C.16. Report received on January 31, 2019.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on January 31, 2019.

Linked Investments for Tomorrow Report, pursuant to Iowa Code section 12.38 . Report received on January 31, 2019.

## CERTIFICATES OF RECOGNITION

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

Art of Education University of Osage—For receiving University Accreditation. Senator Brown.

Ethan Hoefler, New Vienna—For reaching the rank of Eagle Scout, Troop #60. Senator Koelker.

Senior Master Sergeant Paul Koster—For his thirty-two years of military service to the 132<sup>nd</sup> Wing in the Iowa National Guard. Senator Nunn.

## REPORTS OF COMMITTEE MEETINGS

### RULES AND ADMINISTRATION

**Convened:** Thursday, January 31, 2019, 9:05 a.m.

**Members Present:** Whitver, Chair; Schneider, Vice Chair; Petersen, Ranking Member; Bolkcom, Chapman, Ragan, Sinclair, and R. Smith.

**Members Absent:** Behn, Feenstra, Jochum (all excused).

**Committee Business:** [Senate Resolution 1](#).

**Adjourned:** 9:10 a.m.

### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

**Convened:** Thursday, January 31, 2019, 10:00 a.m.

**Members Present:** Guth, Chair; Zumbach, Vice Chair; Celsi, Ranking Member; R. Taylor, and Whiting.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 11:05 a.m.

### APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

**Convened:** Thursday, January 24, 2019, 10:05 a.m.

**Members Present:** Kraayenbrink, Chair; Sinclair, Vice Chair; Wahls, Ranking Member; Koelker, and Quirmbach.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 10:45 a.m.

### ALSO:

**Convened:** Thursday, January 31, 2019, 10:00 a.m.

**Members Present:** Kraayenbrink, Chair; Sinclair, Vice Chair; Wahls, Ranking Member; Koelker, and Quirmbach.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 10:40 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

**Convened:** Thursday, January 31, 2019, 10:00 a.m.

**Members Present:** Costello, Chair; Edler, Vice Chair; Ragan, Ranking Member; Bolkom, and Miller-Meeks.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 11:30 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

**Convened:** Thursday, January 31, 2019, 10:00 a.m.

**Members Present:** Johnson, Chair; R. Smith, Vice Chair; Lykam, Ranking Member; Boulton, and Dawson.

**Members Absent:** None.

**Committee Business:** Presentation on the Capitol Dome Project Department of Administrative Services—Major Maintenance.

**Adjourned:** 10:45 a.m.

### INTRODUCTION OF BILLS

[Senate File 158](#), by committee on Judiciary, a bill for an act relating to postconviction relief procedure and the underlying trial court record of the proceedings challenged.

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

[Senate File 159](#), by committee on Education, a bill for an act relating to assessment scores set by the department of education for successful completion of a practitioner preparation program and for initial teacher licensure and providing for related matters.

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

[Senate File 160](#), by committee on Education, a bill for an act relating to recommendations regarding school building emergency operations plans.

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

[Senate File 161](#), by Greene, a bill for an act relating to the amounts paid to a receiving district for a pupil participating in open enrollment and including applicability provisions.

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

[Senate File 162](#), by Danielson, a bill for an act relating to the examination and copying of a public record under Iowa's open records law and federal copyright law.

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

[Senate File 163](#), by Zaun, a bill for an act relating to state child care assistance, including income eligibility and waiting list guidelines and copayment requirements and providing an effective date.

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

[Senate File 164](#), by Brown, a bill for an act exempting from the individual income tax the wages of individuals who are employed in high-demand jobs and including effective date and retroactive applicability provisions.

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

[Senate File 165](#), by Zaun, Feenstra, Schultz, Whiting, Johnson, Chapman, Shipley, Guth, Edler, Brown, R. Smith, Segebart, Kraayenbrink, Kapucian, and Sweeney, a bill for an act relating to carrying and possessing weapons and acquiring pistols and revolvers, providing penalties, and including applicability provisions.

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

[Senate File 166](#), by Zaun, a bill for an act requesting the establishment of a state university governance interim study committee.

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

[Senate File 167](#), by committee on Education, a bill for an act relating to eligibility for the health care loan repayment program.

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

#### STUDY BILLS RECEIVED

[SSB 1083](#)      **Commerce**

Relating to the enhance Iowa board and moneys allocated by the board.

[SSB 1084](#)      **Commerce**

Relating to bioscience-based economic development, the establishment of a bioscience development corporation, and membership on the Iowa innovation council.

[SSB 1085](#)      **Commerce**

Providing for exceptions to the state child labor law.



**[SSB 1086](#) Commerce**

Concerning unemployment insurance and including effective date and applicability provisions.

**[SSB 1087](#) Commerce**

Prohibiting roundabouts on the primary road system.

**[SSB 1088](#) Commerce**

Concerning disqualification from eligibility for unemployment benefits due to discharge for misconduct.

**[SSB 1089](#) Commerce**

Relating to the insurance fraud bureau, criminal history checks for licenses granted by the insurance division, and resolving inconsistencies.

**[SSB 1090](#) Transportation**

Relating to the operation of authorized emergency vehicles and snow plows, making penalties applicable, and including effective date provisions.

**[SSB 1091](#) Judiciary**

Providing for juvenile court jurisdiction over minor guardianship proceedings and including effective date and applicability provisions.

**[SSB 1092](#) Ethics**

Relating to the Senate Code of Ethics governing the conduct of members of the Senate in relation to their senatorial duties during the Eighty-eighth General Assembly.

**[SSB 1093](#) Ethics**

Relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-eighth General Assembly.

**SSB 1094 Local Government**

Relating to conflicts of interest in certain government public contracts.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 96**

STATE GOVERNMENT: Whiting, Chair; Bisignano and Schultz

**Senate File 128**

STATE GOVERNMENT: Whiting, Chair; Danielson and Schultz

**Senate File 134**

STATE GOVERNMENT: Whiting, Chair; Danielson and Schultz

**Senate File 145**

STATE GOVERNMENT: Whiting, Chair; Chapman and Danielson

**Senate File 149**

LOCAL GOVERNMENT: Lofgren, Chair; Boulton and Greene

**Senate File 151**

JUDICIARY: Sinclair, Chair; Shipley and R. Taylor

**SSB 1083**

COMMERCE: Nunn, Chair; Mathis and Sinclair

**SSB 1084**

COMMERCE: Koelker, Chair; Mathis and Miller-Meeks

**SSB 1085**

COMMERCE: Johnson, Chair; Bisignano and Koelker

**SSB 1086**

COMMERCE: Chapman, Chair; Bisignano and Brown

**SSB 1087**

COMMERCE: Chapman, Chair; Brown and Lykam

[SSB 1088](#)

COMMERCE: Chapman, Chair; Bisignano and Brown

[SSB 1089](#)

COMMERCE: Chapman, Chair; Quirnbach and R. Smith

[SSB 1090](#)

TRANSPORTATION: Brown, Chair; Breitbach and Danielson

[SSB 1091](#)

JUDICIARY: Dawson, Chair; Bisignano and Schultz

[SSB 1092](#)

ETHICS: Costello, Chair; Behn, Jochum, Kinney, Mathis, and Sweeney

[SSB 1093](#)

ETHICS: Costello, Chair; Behn, Jochum, Kinney, Mathis, and Sweeney

[SSB 1094](#)

LOCAL GOVERNMENT: Edler, Chair; Garrett and Hogg

## FINAL COMMITTEE REPORTS OF BILL ACTION

### EDUCATION

**Bill Title:** \*[SENATE FILE 159 \(SSB 1031\)](#), a bill for an act relating to assessment scores set by the department of education for successful completion of a practitioner preparation program and for initial teacher licensure and providing for related matters.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: Sinclair, Cournoyer, Quirnbach, Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, Wahls, and Zaun. Nays, none. Absent, 1: J. Smith.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on [Senate File 159](#), and they were attached to the committee report.

**ALSO:**

**Bill Title:** [SENATE FILE 160 \(SSB 1042\)](#), a bill for an act relating to recommendations regarding school building emergency operations plans.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: Sinclair, Cournoyer, Quirnbach, Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, Wahls, and Zaun. Nays, none. Absent, 1: J. Smith.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 167 \(SSB 1030\)](#), a bill for an act relating to eligibility for the health care loan repayment program.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: Sinclair, Cournoyer, Quirnbach, Behn, Celsi, Danielson, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, Wahls, and Zaun. Nays, none. Absent, 1: J. Smith.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**JUDICIARY**

**Bill Title:** **\***[SENATE FILE 158 \(SSB 1005\)](#), a bill for an act relating to postconviction relief procedure and the underlying trial court record of the proceedings challenged.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, 1: Schultz.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 158](#), and they were attached to the committee report.