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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, FEBRUARY 14, 2019**

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# JOURNAL OF THE SENATE

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THIRTY-SECOND CALENDAR DAY  
TWENTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, February 14, 2019

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

Prayer was offered by Pastor Scott Meador of the Lovely Lane United Methodist Church in Cedar Rapids, Iowa. He was the guest of Senator Hogg.

Margaret Guth sang "My Life Flows On". She is the wife and secretary of Senator Guth.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brooklyn Price.

The Journal of Wednesday, February 13, 2019, was approved.

## ADJOURNMENT

On motion of Senator Sinclair, the Senate adjourned at 9:12 a.m. until 1:00 p.m., Monday, February 18, 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:

#### CHIEF INFORMATION OFFICER

Donations, Grants, Gifts, and Contributions Report, pursuant to Iowa Code section 8B.6. Report received on February 14, 2019.

Internal Service Fund Report FY 2018, pursuant to Iowa Code section 8B.13. Report received on February 14, 2019.

Internal Service Fund Report FY 2019, pursuant to Iowa Code section 8B.13. Report received on February 14, 2019.

IowAccess Revolving Fund Report FY 2017, pursuant to Iowa Code section 8B.33. Report received on February 14, 2019.

IowAccess Revolving Fund Report FY 2018, pursuant to Iowa Code section 8B.33. Report received on February 14, 2019.

## CERTIFICATE OF RECOGNITION

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

Amy Bossard, Ankeny—For receiving the 2019 Varsity Brands School Spirit Award. Senator Whitver.

## REPORTS OF COMMITTEE MEETINGS

### NATURAL RESOURCES AND ENVIRONMENT

**Convened:** Thursday, February 14, 2019, 2:10 p.m.

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

**Members Absent:** None.

**Committee Business:** Presentation by Lori Beary, Community Development Director, Iowa Finance Authority speaking on Waste Water Treatment. Recognition of the Logan Luft family and their advocacy work for organ donation. Passage of bills: [SF 86](#), [SSB 1121](#), [SSB 1122](#), [SF 215](#).

**Adjourned:** 2:50 p.m.

### APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

**Convened:** Thursday, February 14, 2019, 10:05 a.m.

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

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

**Committee Business:** Organizational meeting.

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

#### **APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES**

**Convened:** Thursday, February 14, 2019, 10:00 a.m.

**Members Present:** Costello, Chair; Edler, Vice Chair; and Miller-Meeks.

**Members Absent:** Ragan, Ranking Member; and Bolkcom (both excused).

**Committee Business:** Presentations from DHS, Judicial Branch, and Advocates from Coalition for Family and Children's Services and Boys Town of Iowa.

**Adjourned:** 11:10 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** Thursday, February 14, 2019, 10:05 a.m.

**Members Present:** Garrett, Chair; Nunn, Vice Chair; Hogg, Ranking Member; and T. Taylor.

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

**Committee Business:** Organizational meeting.

**Adjourned:** 11:10 a.m.

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

**Convened:** Thursday, February 14, 2019, 10:00 a.m.

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

**Members Absent:** None.

**Committee Business:** Secretary of State Paul Pate and Christy Wilson Deputy Secretary State Historical Building – Director Chris Kramer, Iowa Department of Cultural Affairs, Susan Kloewer – Administrator, State Historical Society of Iowa, Craig Thompson, Vice President, Ryan Companies, Mark Nelson, Project Manager, Ryan Companies, Channing Swanson, Principal, Neumann Monson Architects.

**Adjourned:** 11:00 a.m.

## INTRODUCTION OF RESOLUTION

[Senate Concurrent Resolution 6](#), by committee on Human Resources, a concurrent resolution recognizing the work of the Mother's Milk Bank of Iowa.

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

## INTRODUCTION OF BILLS

[Senate File 265](#), by committee on Agriculture, a bill for an act providing for the sale of certain mushrooms at farmers markets, and providing an effective date.

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

[Senate File 266](#), by committee on Transportation, a bill for an act relating to required notices to the department of transportation regarding certain registered aircraft.

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

[Senate File 267](#), by committee on Judiciary, a bill for an act relating to the practice of massage therapy, and providing penalties.

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

[Senate File 268](#), by committee on Judiciary, a bill for an act increasing the required amount for a surety bond necessary for the issuance of a travel trailer dealer's license, and including applicability provisions.

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

[Senate File 269](#), by Segebart, a bill for an act establishing a home modification grant program within the department on aging, and providing an appropriation.

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

[Senate File 270](#), by Schneider, a bill for an act relating to the health education requirement for grades nine through twelve under the education standards.

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

[Senate File 271](#), by committee on Transportation, a bill for an act relating to motor vehicles, including 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 **placed on calendar**.

[Senate File 272](#), by committee on Judiciary, a bill for an act relating to the provision of debt management services in connection with educational loans, and making penalties applicable.

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

[Senate File 273](#), by committee on Judiciary, a bill for an act relating to the criminal elements for the commission of sexual misconduct with offenders and juveniles, and providing penalties.

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

[Senate File 274](#), by committee on Education, a bill for an act relating to speech and expression at public institutions of higher education, providing for remedies, and including effective date provisions.

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

[Senate File 275](#), by Judiciary, a bill for an act relating to the criminal offenses of assault by threat of a targeted attack and cyberharassment, and providing penalties.

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

## STUDY BILLS RECEIVED

**SSB 1159**      **Judiciary**

Concerning jurors, relating to access to certain department of revenue taxpayer information for jury list compilation and juror information confidentiality.

**SSB 1160**      **State Government**

Relating to political and campaign ethics, including the reporting of certain gifts and bequests received by the executive branch and attribution statements on published materials, and making penalties applicable.

**SSB 1161**      **Commerce**

Relating to post-loss assignment of rights to residential contractors for repair or services performed on residential real estate covered by property and casualty insurance.

**SSB 1162**      **Commerce**

Prohibiting pyramid promotional schemes and making penalties applicable.

**SSB 1163**      **Education**

Authorizing use of concurrent enrollment programs for teaching certain subjects required under the educational standards and making an appropriation to fund enrollment of pupils under concurrent enrollment program agreements between accredited nonpublic schools and community colleges.

**SSB 1164**      **Appropriations**

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund and the technology reinvestment fund, providing for related matters, and including effective date provisions.

**SSB 1165 Education**

Relating to requirements school districts and accredited nonpublic schools must meet to provide distance learning classes that meet the requirements of Iowa's education program.

**SSB 1166 Ways and Means**

Exempting from the state sales and use tax the purchase price of tangible personal property, specified digital products, or services paid for or reimbursed by Medicaid.

**SUBCOMMITTEE ASSIGNMENTS****Senate Joint Resolution 14**

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Boulton and Cournoyer

**Senate Resolution 4**

HUMAN RESOURCES: Costello, Chair; Mathis and Segebart

**Senate File 235**

JUDICIARY: Dawson, Chair; Kinney and Sinclair

**Senate File 243**

JUDICIARY: Garrett, Chair; Hogg and Schultz

**Senate File 254**

JUDICIARY: Dawson, Chair; Chapman and Kinney

**Senate File 255**

JUDICIARY: Schultz, Chair; Hogg and Nunn

**Senate File 256**

JUDICIARY: Zaun, Chair; Sinclair and R. Taylor

**Senate File 258**

JUDICIARY: Kinney, Chair; Shipley and Whiting

**Senate File 259**

JUDICIARY: Chapman, Chair; Petersen and Sweeney



[Senate File 261](#)

HUMAN RESOURCES: Greene, Chair; Carlin and Ragan

[Senate File 262](#)

COMMERCE: Chapman, Chair; Feenstra and Mathis

[SSB 1004](#)  
(Reassigned)

JUDICIARY: Chapman, Chair; Bisignano and Zaun

[SSB 1154](#)  
(Reassigned)

COMMERCE: Sinclair, Chair; Johnson and Mathis

[SSB 1159](#)

JUDICIARY: Nunn, Chair; R. Taylor and Whiting

[SSB 1160](#)

STATE GOVERNMENT: R. Smith, Chair; Chapman and Jochum

[SSB 1161](#)

COMMERCE: Johnson, Chair; Quirnbach and Sinclair

[SSB 1162](#)

COMMERCE: Dawson, Chair; Johnson and Lykam

[SSB 1163](#)

EDUCATION: Sinclair, Chair; Kraayenbrink and Wahls

[SSB 1164](#)

APPROPRIATIONS: Breitbach, Chair; Costello and Lykam

[SSB 1165](#)

EDUCATION: Edler, Chair; Cournoyer and Quirnbach

[SSB 1166](#)

WAYS AND MEANS: Feenstra, Chair; Chapman and Jochum

## FINAL COMMITTEE REPORTS OF BILL ACTION

## AGRICULTURE

**Bill Title:** \*[SENATE FILE 265 \(SSB 1111\)](#), a bill for an act providing for the sale of certain mushrooms at farmers markets, and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 13: Zumbach, Sweeney, Kinney, Brown, Costello, Edler, Kapucian, Mathis, Ragan, Rozenboom, Shipley, R. Taylor, and Wahls. Nays, none. Absent, none.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on [Senate File 265](#), and they were attached to the committee report.

## EDUCATION

**Bill Title:** \*[SENATE FILE 274 \(SSB 1099\)](#), a bill for an act relating to speech and expression at public institutions of higher education, providing for remedies, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 11: Sinclair, Cournoyer, Quirnbach, Behn, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, and Zaun. Nays, 4: Celsi, Danielson, J. Smith, and Wahls. Absent, none.

**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 274](#), and they were attached to the committee report.

## HUMAN RESOURCES

**Bill Title:** \*[SENATE CONCURRENT RESOLUTION 6](#) (formerly [SCR 2](#)), a concurrent resolution recognizing the work of the Mother's Milk Bank of Iowa.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 9: Miller-Meeks, Segebart, Mathis, Bolcom, Costello, Garrett, Greene, Quirnbach, and Ragan. Nays, none. Absent, 4: Carlin, Edler, Jochum, and Johnson.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on [Senate Concurrent Resolution 6](#), and they were attached to the committee report.

#### JUDICIARY

**Bill Title:** [SENATE FILE 267 \(SSB 1037\)](#), a bill for an act relating to the practice of massage therapy, and providing penalties.

**Recommendation:** APPROVED COMMITTEE BILL.

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

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

#### ALSO:

**Bill Title:** [SENATE FILE 268 \(SSB 1072\)](#), a bill for an act increasing the required amount for a surety bond necessary for the issuance of a travel trailer dealer's license, and including applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

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

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

#### ALSO:

**Bill Title:** [\\*SENATE FILE 272 \(SSB 1066\)](#), a bill for an act relating to the provision of debt management services in connection with educational loans, and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

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

**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 272](#), and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*[SENATE FILE 273 \(SSB 1057\)](#), a bill for an act relating to the criminal elements for the commission of sexual misconduct with offenders and juveniles, and providing penalties.

**Recommendation:** APPROVED COMMITTEE BILL.

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

**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 273](#), and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*[SENATE FILE 275 \(SSB 1009\)](#), a bill for an act relating to the criminal offenses of assault by threat of a targeted attack and cyberharassment, and providing penalties.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 12: Zaun, Dawson, Kinney, Bisignano, Chapman, Garrett, Nunn, Schultz, Shipley, Sinclair, Sweeney, and Whiting. Nays, 2: Hogg and R. Taylor. Absent, 1: Petersen.

**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 275](#), and they were attached to the committee report.

**NATURAL RESOURCES AND ENVIRONMENT**

**Bill Title:** [SENATE FILE 86](#), a bill for an act requiring the department of natural resources to include anatomical donor symbols on certain licenses.

**Recommendation:** DO PASS.

**Final Vote:** Yeas, 13: Rozenboom, Shipley, Hogg, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach. Nays, none. Absent, none.

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

**TRANSPORTATION**

**Bill Title:** [SENATE FILE 76](#), a bill for an act relating to the use of an electronic communication device while driving, and providing penalties.

**Recommendation:** DO PASS.

**Final Vote:** Yeas, 12: Kapucian, Brown, Danielson, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, and Whiting. Nays, none. Absent, 1: Zumbach.

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

**ALSO:**

**Bill Title:** [SENATE FILE 266 \(SSB 1050\)](#), a bill for an act relating to required notices to the department of transportation regarding certain registered aircraft.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 12: Kapucian, Brown, Danielson, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, and Whiting. Nays, none. Absent, 1: Zumbach.

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

**ALSO:**

**Bill Title:** \*[SENATE FILE 271](#) (formerly [SF 88](#)), a bill for an act relating to motor vehicles, including registration plates and the minimum standard of transparency for window tint, providing fees, providing penalties, and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 12: Kapucian, Brown, Danielson, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, and Whiting. Nays, none. Absent, 1: Zumbach.

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

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on [Senate File 271](#), and they were attached to the committee report.