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**STATE OF IOWA**

**Senate Journal**

**MONDAY, FEBRUARY 25, 2019**

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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.)

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# JOURNAL OF THE SENATE

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FORTY-THIRD CALENDAR DAY  
TWENTY-FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, February 25, 2019

The Senate met in regular session at 1:05 p.m., President Schneider presiding.

Prayer was offered by the Honorable Craig Johnson, member of the Senate from Buchanan County, Independence, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kate Hapgood.

The Journal of Thursday, February 21, 2019, was approved.

## ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 1:09 p.m. until 9:00 a.m., Tuesday, February 26, 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 REVENUE

Central Collections Unit Quarterly Debt Collection Report, pursuant to Iowa Code section 421.17. Report received on February 22, 2019.

Recurrent Taxpayer Noncompliance Report, pursuant to Iowa Code section 421.60. Report received on February 22, 2019.

## CERTIFICATES OF RECOGNITION

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

Peter Macias, Davenport—For celebrating his 100<sup>th</sup> birthday. Senator Lykam.

John “Andy” Moore, Fort Dodge— For celebrating his 100<sup>th</sup> birthday. Senator Kraayenbrink.

## INTRODUCTION OF RESOLUTION

[Senate Resolution 7](#), by Behn, a resolution for in support of strengthening and deepening the relationship between Taiwan and the State of Iowa.

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

## INTRODUCTION OF BILLS

[Senate File 366](#), by committee on State Government, a bill for an act relating to gambling regulation and wagering, by providing for sports wagering and fantasy sports contests, providing for taxes and fees, making penalties applicable, and including implementation and effective date provisions.

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

[Senate File 367](#), by committee on State Government, a bill for an act eliminating the education telecommunications council and regional telecommunications councils established under the Iowa communications network.

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

[Senate File 368](#), by committee on State Government, a bill for an act relating to restrictions on lawful preexisting nonconforming uses by cities and counties.

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

[Senate File 369](#), by committee on Judiciary, a bill for an act prohibiting the treatment of animals other than livestock and wild animals, providing for the rescue of animals by local law enforcement agencies, providing for criminal offenses and court orders, and including penalties.

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

[Senate File 370](#), by Kapucian, a bill for an act relating to the use of certain pesticides, by providing for a fee increase, the establishment of a fund, and making appropriations.

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

[Senate File 371](#), by Cournoyer, a bill for an act relating to probationary periods for school district administrators.

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

[Senate File 372](#), by Behn, a bill for an act relating to education savings grants for pupils attending a nonpublic school or receiving competent private instruction, establishing an education savings grant fund, providing an income tax exemption, making appropriations, providing penalties, and including applicability provisions.

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

[Senate File 373](#), by Zumbach, a bill for an act relating to bicycles being overtaken and passed by certain farm vehicles, and providing penalties.

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

[Senate File 374](#), by Schultz, a bill for an act relating to taking coyotes while using an artificial source of light.

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

#### STUDY BILLS RECEIVED

[SSB 1193](#)      **Ways and Means**

Creating an empower rural Iowa Act to provide incentives for broadband and workforce housing, and including applicability provisions.

[SSB 1194](#)      **Commerce**

Relating to the use of gasification and pyrolysis facilities for the conversion of certain recoverable waste materials.

[SSB 1195](#)      **Commerce**

Related to installations of certain wireless telecommunications infrastructure in the state, and including effective date provisions.

[SSB 1196](#)      **Commerce**

Prohibiting the provision or use of false or misleading caller identification information to certain persons, and making penalties applicable.

[SSB 1197](#)      **Human Resources**

Relating to mental health and disability services, including the establishment of a children's behavioral health system and a children's behavioral health system state board, and requiring certain children's behavioral health core services.

[SSB 1198](#)      **Judiciary**

Relating to officer-involved shootings and officer-involved critical incidents.

**SSB 1199**      **Judiciary**

Relating to business entities, by providing for different types of limited liability companies and the dissolution of limited liability companies, providing for fees, and including effective date provisions.

**SSB 1200**      **Commerce**

Relating to self-service storage facilities, including the creation and enforcement of liens on personal property within leased spaces.

**SSB 1201**      **Commerce**

Relating to electric utility rates and infrastructure support options for private generation customers.

**SSB 1202**      **Commerce**

Relating to timely submission of claims by health care providers to health insurers.

**SSB 1203**      **Judiciary**

Permitting qualified entities to request national criminal history checks of certain covered individuals.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 279**

WAYS AND MEANS: Brown, Chair; Behn and Wahls

**Senate File 291**

HUMAN RESOURCES: Greene, Chair; Johnson and Mathis

**Senate File 299**

AGRICULTURE: Shipley, Chair; Kinney and Zumbach

**Senate File 321**

WAYS AND MEANS: Chapman, Chair; Dotzler and Nunn

[Senate File 349](#)

COMMERCE: Breitbach, Chair; Bisignano and Chapman

[Senate File 353](#)

EDUCATION: Cournoyer, Chair; Lofgren and Wahls

[Senate File 354](#)

EDUCATION: Cournoyer, Chair; Lofgren and Wahls

[Senate File 361](#)

COMMERCE: Brown, Chair; Chapman and Quirnbach

[Senate File 363](#)

JUDICIARY: Sweeney, Chair; Kinney and Whiting

[Senate File 365](#)

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

[Senate File 370](#)

AGRICULTURE: Kapucian, Chair; Rozenboom and Wahls

[House File 223](#)

JUDICIARY: Schultz, Chair; R. Taylor and Whiting

[House File 262](#)

COMMERCE: Dawson, Chair; Johnson and Lykam

[SSB 1173](#)

(Reassigned)

COMMERCE: Koelker, Chair; Quirnbach and R. Smith

[SSB 1193](#)

WAYS AND MEANS: Feenstra, Chair; Jochum and Sweeney

[SSB 1194](#)

COMMERCE: Brown, Chair; Dawson and Quirnbach

[SSB 1195](#)

COMMERCE: Feenstra, Chair; Chapman and Mathis

[SSB 1196](#)

COMMERCE: Sinclair, Chair; Brown and Petersen

[SSB 1197](#)

HUMAN RESOURCES: Edler, Chair; Costello and Mathis

[SSB 1198](#)

JUDICIARY: Dawson, Chair; Kinney and Whiting

[SSB 1199](#)

JUDICIARY: Shipley, Chair; Hogg and Sinclair

[SSB 1200](#)

COMMERCE: Sinclair, Chair; Koelker and Petersen

[SSB 1201](#)

COMMERCE: Breitbach, Chair; Bisignano and Chapman

[SSB 1202](#)

COMMERCE: Chapman, Chair; Mathis and R. Smith

[SSB 1203](#)

JUDICIARY: Garrett, Chair; Dawson and Kinney

## FINAL COMMITTEE REPORTS OF BILL ACTION

### JUDICIARY

**Bill Title:** \*[SENATE FILE 369 \(SSB 1075\)](#), a bill for an act prohibiting the treatment of animals other than livestock and wild animals, providing for the rescue of animals by local law enforcement agencies, providing for criminal offenses and court orders, and including penalties.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 11: Zaun, Dawson, Bisignano, Chapman, Hogg, Nunn, Petersen, Schultz, Sinclair, R. Taylor, and Whiting. Nays, 2: Garrett and Shipley. Present, 1: Sweeney. Absent, 1: Kinney.



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

#### STATE GOVERNMENT

**Bill Title:** [SENATE FILE 366 \(SSB 1168\)](#), a bill for an act relating to gambling regulation and wagering, by providing for sports wagering and fantasy sports contests, providing for taxes and fees, making penalties applicable, and including implementation and effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 8: R. Smith, Johnson, Cournoyer, Dawson, Feenstra, Schultz, Whiting, and Zaun. Nays, 6: Bisignano, Celsi, Chapman, Jochum, Lykam, and T. Taylor. Absent, 1: Miller-Meeks.

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

#### ALSO:

**Bill Title:** [SENATE FILE 367 \(SSB 1153\)](#), a bill for an act eliminating the education telecommunications council and regional telecommunications councils established under the Iowa communications network.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Schultz, T. Taylor, Whiting, and Zaun. Nays, none. Absent, 1: Miller-Meeks.

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

#### ALSO:

**Bill Title:** [SENATE FILE 368 \(SSB 1141\)](#), a bill for an act relating to restrictions on lawful preexisting nonconforming uses by cities and counties.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 11: R. Smith, Johnson, Chapman, Cournoyer, Dawson, Feenstra, Lykam, Schultz, T. Taylor, Whiting, and Zaun. Nays, 3: Bisignano, Celsi, and Jochum. Absent, 1: Miller-Meeks.

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

### EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 18, 2019, when the votes were taken on Senate Files 113, 139, 220, and 230; and [House Concurrent Resolution 9](#). Had I been present, I would have voted yea on all.

ALSO: I was necessarily absent from the Senate chamber on February 20, 2019, when the votes were taken on Senate Files 86, 198, 203, 229, 265, 267. Had I been present, I would have voted yea on all.

Mariannette Miller-Meeks