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**STATE OF IOWA**

**Senate Journal**

**MONDAY, MARCH 18, 2019**

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# JOURNAL OF THE SENATE

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SIXTY-FOURTH CALENDAR DAY  
THIRTY-SEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, March 18, 2019

The Senate met in regular session at 1:00 p.m., President Schneider presiding.

Prayer was offered by Alan Diehl, president of the Humanists of Linn County and vice president of the Inter-Religious Council of Linn County in Cedar Rapids, Iowa. He was the guest of Senator Hogg.

## PLEDGE OF ALLEGIANCE

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

The Journal of Thursday, March 14, 2019, was approved.

## HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 14, 2019, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 274**, a bill for an act relating to speech and expression at public institutions of higher education, providing for remedies, and including effective date provisions.

ALSO: That the House has on March 14, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 288](#), a bill for an act relating to military and veterans benefits.

Read first time and attached to **similar** [Senate File 512](#).

[House File 304](#), a bill for an act relating to reports of personal degradation by caretakers of dependent adults in facilities and programs regulated by the department of inspections and appeals.

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

[House File 325](#), a bill for an act relating to weapons requirements for nonambulatory hunters.

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

[House File 502](#), a bill for an act modifying provisions relating to the certification of real estate appraisers and making penalties applicable.

Read first time and referred to committee on **Commerce**.

[House File 650](#), a bill for an act relating to the liability of private employers, general contractors, and premises owners for negligently hiring employees, agents, or independent contractors convicted of a public offense.

Read first time and attached to **similar** [Senate File 580](#).

[House File 692](#), a bill for an act relating to the tracking and counting of mailed absentee ballots.

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

## INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Philip Groner, the Governor's appointee to be Executive Director of the Telecommunications and Technology Commission. He was the guest of Senator Johnson and the committee on Commerce.

The Secretary of the Senate introduced Jeffery Wright, the Governor's appointee to be the State Public Defender. He was the guest of Senators Zaun, Garrett, and Hogg and the committee on Judiciary.

## RECESS

On motion of Senator Whitver, the Senate recessed at 1:10 p.m. until 3:00 p.m.

## RECONVENED

The Senate reconvened at 3:12 p.m., President Schneider presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dawson, until he arrives, on request of Senator Sinclair.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 160, 208, 273, and 339.

### [Senate File 160](#)

On motion of Senator Kraayenbrink, [Senate File 160](#), a bill for an act relating to recommendations regarding school building emergency operations plans, was taken up for consideration.

Senator Kraayenbrink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 160](#)), the vote was:

Yeas, 48:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dotzler
Edler	Feenstra	Garrett	Greene
Guth	Hogg	Jochum	Johnson
Kapucian	Kinney	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Miller-Meeks
Nunn	Petersen	Quirnbach	Ragan
Rozenboom	Schneider	Schultz	Segebart
Shiple	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, R.	Taylor, T.	Wahls
Whiting	Whitver	Zaun	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### [Senate File 208](#)

On motion of Senator Whiting, [Senate File 208](#), a bill for an act increasing the maximum allowable length for stinger-steered automobile transporters, was taken up for consideration.

Senator Whiting moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 208](#)), the vote was:

Yeas, 48:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dotzler

Edler	Feenstra	Garrett	Greene
Guth	Hogg	Jochum	Johnson
Kapucian	Kinney	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Miller-Meeks
Nunn	Petersen	Quirnbach	Ragan
Rozenboom	Schneider	Schultz	Segebart
Shiple	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, R.	Taylor, T.	Wahls
Whiting	Whitver	Zaun	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### [Senate File 273](#)

On motion of Senator Schultz, [Senate File 273](#), a bill for an act relating to the criminal elements for the commission of sexual misconduct with offenders and juveniles, and providing penalties, was taken up for consideration.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 273](#)), the vote was:

Yeas, 48:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dotzler
Edler	Feenstra	Garrett	Greene
Guth	Hogg	Jochum	Johnson
Kapucian	Kinney	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Miller-Meeks
Nunn	Petersen	Quirnbach	Ragan
Rozenboom	Schneider	Schultz	Segebart
Shiple	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, R.	Taylor, T.	Wahls
Whiting	Whitver	Zaun	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### [Senate File 339](#)

On motion of Senator Shipley, [Senate File 339](#), a bill for an act relating to state employee defense and indemnification from certain claims and actions, was taken up for consideration.

Senator Shipley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 339](#)), the vote was:

Yeas, 48:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dotzler
Edler	Feenstra	Garrett	Greene
Guth	Hogg	Jochum	Johnson
Kapucian	Kinney	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Miller-Meeks
Nunn	Petersen	Quirnbach	Ragan
Rozenboom	Schneider	Schultz	Segebart
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, R.	Taylor, T.	Wahls
Whiting	Whitver	Zaun	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

## IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 160, 208, 273, and 339** be **immediately messaged** to the House.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 583](#).

[Senate File 583](#)

On motion of Senator Breitbach, [Senate File 583](#), a bill for an act relating to electric utility rates and infrastructure support options for private generation customers, was taken up for consideration.

Senator Petersen asked and received unanimous consent that action on [Senate File 583](#) be **deferred**.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 412](#).

[Senate File 412](#)

On motion of Senator Johnson, [Senate File 412](#), a bill for an act 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, and making penalties applicable, was taken up for consideration.

Senator Johnson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.



On the question "Shall the bill pass?" ([S.F. 412](#)), the vote was:

Yeas, 48:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dotzler
Edler	Feenstra	Garrett	Greene
Guth	Hogg	Jochum	Johnson
Kapucian	Kinney	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Miller-Meeks
Nunn	Petersen	Quirnbach	Ragan
Rozenboom	Schneider	Schultz	Segebart
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, R.	Taylor, T.	Wahls
Whiting	Whitver	Zaun	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate File 412](#) be **immediately messaged** to the House.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 564, 567, and 246.

#### [Senate File 564](#)

On motion of Senator Segebart, [Senate File 564](#), a bill for an act relating to the Iowa newborn screening panel, was taken up for consideration.

Senator Segebart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 564](#)), the vote was:

Yeas, 48:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dotzler
Edler	Feenstra	Garrett	Greene
Guth	Hogg	Jochum	Johnson
Kapucian	Kinney	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Miller-Meeks
Nunn	Petersen	Quirnbach	Ragan
Rozenboom	Schneider	Schultz	Segebart
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, R.	Taylor, T.	Wahls
Whiting	Whitver	Zaun	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### [Senate File 567](#)

On motion of Senator Carlin, [Senate File 567](#), a bill for an act relating to disqualifications from holding certain professional licenses for persons convicted of certain felonies, was taken up for consideration.

Senator Carlin offered amendment [S-3037](#), filed by him from the floor to pages 1–3 of the bill, and moved its adoption.

Amendment [S-3037](#) was adopted by a voice vote.

Senator Carlin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 567](#)), the vote was:

Yeas, 48:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dotzler
Edler	Feenstra	Garrett	Greene
Guth	Hogg	Jochum	Johnson
Kapucian	Kinney	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Miller-Meeks
Nunn	Petersen	Quirnbach	Ragan
Rozenboom	Schneider	Schultz	Segebart
ShIPLEY	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, R.	Taylor, T.	Wahls
Whiting	Whitver	Zaun	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

### [Senate File 246](#)

On motion of Senator Edler, [Senate File 246](#), a bill for an act relating to requirements for eligibility under the all Iowa opportunity scholarship program, was taken up for consideration.

Senator Edler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 246](#)), the vote was:

Yeas, 48:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dotzler
Edler	Feenstra	Garrett	Greene
Guth	Hogg	Jochum	Johnson
Kapucian	Kinney	Koelker	Kraayenbrink
Lofgren	Lykam	Mathis	Miller-Meeks
Nunn	Petersen	Quirnbach	Ragan
Rozenboom	Schneider	Schultz	Segebart
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, R.	Taylor, T.	Wahls
Whiting	Whitver	Zaun	Zumbach

Nays, none.

Absent, 1:

Dawson

Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 246, 564, and 567** be **immediately messaged** to the House.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sinclair, until she returns, on request of Senator Whitver.

#### BUSINESS PENDING

#### [Senate File 583](#)

The Senate resumed consideration of [Senate File 583](#), a bill for an act relating to electric utility rates and infrastructure support options for private generation customers, previously deferred.

Senator Mathis withdrew amendment [S-3039](#), filed by Senators Mathis and Quirnbach from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Mathis offered amendment [S-3041](#), filed by Senators Mathis and Quirnbach from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3041](#) be adopted?” ([S.F. 583](#)), the vote was:

Yeas, 19:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Hogg	Jochum	Kinney
Lykam	Mathis	Miller-Meeks	Nunn
Petersen	Quirnbach	Ragan	Smith, J.
Taylor, R.	Taylor, T.	Wahls	

Nays, 28:

Behn	Breitbach	Brown	Carlin
Chapman	Costello	Cournoyer	Edler
Feenstra	Garrett	Greene	Guth
Johnson	Kapucian	Koelker	Kraayenbrink
Lofgren	Rozenboom	Schneider	Schultz
Segebart	Shiple	Smith, R.	Sweeney
Whiting	Whitver	Zaun	Zumbach

Absent, 2:

Dawson	Sinclair
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Vacant, 1.

Amendment [S-3041](#) lost.

Senator Kinney deferred amendment [S-3034](#), filed by him on March 13, 2019, to page 2 of the bill.

Senator Kinney offered amendment [S-3038](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3038](#) be adopted?" ([S.F. 583](#)), the vote was:

Yeas, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Hogg	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Shiple	Smith, J.	Taylor, R.
Taylor, T.	Wahls		

Nays, 29:

Behn	Breitbach	Brown	Carlin
Chapman	Costello	Cournoyer	Edler
Feenstra	Garrett	Greene	Guth
Johnson	Kapucian	Koelker	Kraayenbrink
Lofgren	Miller-Meeks	Nunn	Rozenboom
Schneider	Schultz	Segebart	Smith, R.
Sweeney	Whiting	Whitver	Zaun
Zumbach			

Absent, 2:

Dawson	Sinclair
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Vacant, 1.

Amendment [S-3038](#) lost.

Senator Breitbach offered amendment [S-3040](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-3040](#) was adopted by a voice vote.

The Senate resumed consideration of amendment [S-3034](#), previously deferred.

Senator Kinney moved the adoption of amendment [S-3034](#).

A record roll call was requested.

On the question “Shall amendment [S-3034](#) be adopted?” ([S.F. 583](#)), the vote was:

Yeas, 19:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Hogg	Jochum	Kinney
Lykam	Mathis	Petersen	Quirmbach
Ragan	Shipley	Smith, J.	Sweeney
Taylor, R.	Taylor, T.	Wahls	

Nays, 28:

Behn	Breitbach	Brown	Carlin
Chapman	Costello	Cournoyer	Edler
Feenstra	Garrett	Greene	Guth
Johnson	Kapucian	Koelker	Kraayenbrink
Lofgren	Miller-Meeks	Nunn	Rozenboom
Schneider	Schultz	Segebart	Smith, R.
Whiting	Whitver	Zaun	Zumbach

Absent, 2:

Dawson	Sinclair
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Vacant, 1.

Amendment [S-3034](#) lost.

Senator Breitbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 583](#)), the vote was:

Yeas, 28:

Behn	Breitbach	Brown	Carlin
Chapman	Costello	Cournoyer	Edler
Feenstra	Garrett	Guth	Johnson
Koelker	Kraayenbrink	Lofgren	Lykam
Miller-Meeks	Nunn	Rozenboom	Schneider
Schultz	Segebart	Shipley	Smith, R.
Sweeney	Whiting	Whitver	Zumbach

Nays, 19:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Greene	Hogg	Jochum
Kapucian	Kinney	Mathis	Petersen
Quirnbach	Ragan	Smith, J.	Taylor, R.
Taylor, T.	Wahls	Zaun	

Absent, 2:

Dawson	Sinclair
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Vacant, 1.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate File 583](#) be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:39 p.m. until 9:00 a.m., Tuesday, March 19, 2019.

#### APPENDIX

##### CERTIFICATE OF RECOGNITION

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

Marshall Ochiltree, Wilton—For reaching the rank of Eagle Scout, Troop #151. Senator Wahls.

##### SUBCOMMITTEE ASSIGNMENTS

###### [Senate File 470](#)

NATURAL RESOURCES AND ENVIRONMENT: Kapucian, Chair; Hogg and Zumbach

###### [Senate File 595](#)

WAYS AND MEANS: Chapman, Chair; Carlin and Quirnbach



[House File 604](#)

NATURAL RESOURCES AND ENVIRONMENT: Sweeney, Chair; Boulton and Segebart

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 15, 2019, the Governor approved and transmitted to the Secretary of State the following bill:

[Senate File 220](#) – Relating to the increased expensing allowance deduction by corporations, financial institutions, and partnerships and limited liability companies taxed as corporations, and including effective date and retroactive applicability provisions.

AMENDMENTS FILED

<a href="#"><u>S-3036</u></a>	<a href="#"><u>S.F. 512</u></a>	Jim Carlin
<a href="#"><u>S-3037</u></a>	<a href="#"><u>S.F. 567</u></a>	Jim Carlin
<a href="#"><u>S-3038</u></a>	<a href="#"><u>S.F. 583</u></a>	Kevin Kinney
<a href="#"><u>S-3039</u></a>	<a href="#"><u>S.F. 583</u></a>	Liz Mathis Herman C. Quirnbach
<a href="#"><u>S-3040</u></a>	<a href="#"><u>S.F. 583</u></a>	Michael Breitbach
<a href="#"><u>S-3041</u></a>	<a href="#"><u>S.F. 583</u></a>	Liz Mathis Herman C. Quirnbach