

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, JANUARY 28, 2020

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JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 28, 2020

The Senate met in regular session at 9:03 a.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 Kadin Kruse.

The Journal of Monday, January 27, 2020, was approved.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:05 a.m. until 9:00 a.m., Wednesday, January 29, 2020.

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:

IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

2019 Annual Report, pursuant to Iowa Code section 312.3B. Report received on January 28, 2020.

OFFICE OF THE TREASURER OF STATE

Linked Investment for Tomorrow Report, pursuant to Iowa Code section 12.38.
Report received on January 28, 2020.

CERTIFICATE OF RECOGNITION

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

Deb Schoelerman, Chair of the Green Sanctuary Committee; and the members of UUS—For receiving the 2019 Best Development Award from 1000 Friends of Iowa. Senator Wahls.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Tuesday, January 28, 2020, 2:05 p.m.

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

Members Absent: None.

Committee Business: [SF 2011](#). Presentation by Iowa Department of Education.

Adjourned: 2:55 p.m.

HUMAN RESOURCES

Convened: Monday, January 27, 2020, 3:10 p.m.

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

Members Absent: None.

Committee Business: Presenters Eric Preuss and Ken Sharp.

Adjourned: 4:05 p.m.

JUDICIARY

Convened: Monday, January 27, 2020, 2:00 p.m.

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

Members Absent: None.

Committee Business: SFs 587, 375, 586, 2007, 2005, and 2006; [SSB 3031](#). Presentation.

Adjourned: 3:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Tuesday, January 28, 2020, 10:00 a.m.

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

Members Absent: Zumbach, Vice Chair (excused).

Committee Business: Jan 28.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Tuesday, January 28, 2020, 10:05 a.m.

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

Members Absent: None.

Committee Business: Presentations from Medicaid Director Randol and MCO updates with Iowa Total Care and Amerigroup.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Tuesday, January 28, 2020, 10:00 a.m.

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

Members Absent: Dawson (excused).

Committee Business: Presentations by Mark Willemsen, Sr. Facilities Manager; Scott Allen, Project Manager; OPN Architects; and Steve Dick, Financial Manager, Iowa Dept of Corrections.

Adjourned: 10:45 a.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 102](#), by Ragan, Dawson, Carlin, R. Taylor, Costello, Edler, Dotzler, Miller-Meeks, Lofgren, Giddens, and Koelker, a resolution for recognizing the centennial of the formation of the American Legion Auxiliary.

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

INTRODUCTION OF BILLS

[Senate File 2086](#), by Whiting, a bill for an act requiring notices of potential eligibility for the business property tax credit.

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

[Senate File 2087](#), by Kapucian, a bill for an act requiring the installation of signs and statues on certain portions of interstate 80 to commemorate Harold Keller.

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

[Senate File 2088](#), by Zaun, a bill for an act establishing a veterans treatment court in each judicial district.

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

[Senate File 2089](#), by committee on Transportation, a bill for an act disqualifying a person convicted of human trafficking involving the use of a commercial motor vehicle from operating a commercial motor vehicle for life.

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

[Senate File 2090](#), by committee on Transportation, a bill for an act relating to lighted lamps on bicycles, making penalties applicable, and including effective date provisions.

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

[Senate File 2091](#), by committee on Transportation, a bill for an act providing for exemptions relating to odometer requirements, and including effective date provisions.

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

[Senate File 2092](#), by committee on Judiciary, a bill for an act relating to the privacy of a victim of a sex offense in a criminal or civil proceeding.

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

[Senate File 2093](#), by committee on Judiciary, a bill for an act relating to class "A" felonies and life sentences.

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

[Senate File 2094](#), by committee on Transportation, a bill for an act creating a special minor's farm driver's license, and providing penalties.

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

[Senate File 2095](#), by committee on Judiciary, a bill for an act allowing county attorneys and assistant county attorneys to obtain a professional permit to carry weapons.

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

[Senate File 2096](#), by committee on Judiciary, a bill for an act allowing certain emergency medical care providers to obtain a professional permit to carry weapons.

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

[Senate File 2097](#), by committee on Judiciary, a bill for an act relating to the criminal offense of indecent exposure and making penalties applicable.

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

[Senate File 2098](#), by Giddens, Mathis, Jochum, Celsi, Lykam, Wahls, Kinney, Dotzler, R. Taylor, Bisignano, T. Taylor, J. Smith, Hogg, Quirmbach, Bolkcom, Petersen, Ragan, and Boulton, a bill for an act relating to the direct care workforce including the creation of a direct care worker database, inclusion of direct care workers in state skilled workforce programs, and the establishment of a direct care worker tuition grant program and a direct care worker tuition tax credit.

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

[Senate File 2099](#), by Ragan, Mathis, Jochum, Celsi, Lykam, Wahls, Kinney, Dotzler, R. Taylor, Bisignano, T. Taylor, J. Smith, Hogg, Bolkcom, Petersen, Giddens, and Boulton, a bill for an act relating to the provision of innovative congregate meal concepts, and providing an appropriation.

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

[Senate File 2100](#), by Miller-Meeks, a bill for an act relating to the provision of behavioral health services including via telemedicine in a school setting.

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

[Senate File 2101](#), by Carlin, a bill for an act requiring school districts and nonpublic schools to display a portion of the preamble of the Declaration of Independence in their schools.

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

[Senate File 2102](#), by Carlin, a bill for an act relating to applicant priority and grant award amounts under the teach Iowa scholar program.

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

[Senate File 2103](#), by Shipley, a bill for an act establishing an annual vehicle registration surcharge and appropriating the resulting revenue for certain expenses of the state patrol.

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

[Senate File 2104](#), by Zaun, a bill for an act relating to property taxation by providing a property assessment adjustment and property tax reduction for certain property of persons who meet certain income qualifications, providing a penalty, modifying city and county budget provisions, and including retroactive and other applicability provisions.

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

[Senate File 2105](#), by Jochum, Celsi, Wahls, Dotzler, J. Smith, Kinney, T. Taylor, Bisignano, Lykam, Giddens, Quirnbach, Bolkcom, Petersen, Ragan, Mathis, Boulton, and R. Taylor, a bill for an act requiring that contractors and subcontractors performing work on housing programs administered by the Iowa finance authority comply with applicable federal and state laws relating to labor and employment, and providing penalties.

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

[Senate File 2106](#), by Jochum, Mathis, Ragan, Celsi, Lykam, Wahls, Kinney, Dotzler, R. Taylor, Bisignano, T. Taylor, J. Smith, Quirnbach, Bolkcom, Petersen, Giddens, and Boulton, a bill for an act requiring that certain housing constructed using public funds incorporates minimum universal design standards relating to accessibility.

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

STUDY BILLS RECEIVED

[SSB 3081](#) **Judiciary**

Establishing the offense of sexual activity with an individual sixteen or seventeen years of age, and providing penalties.

[SSB 3082](#) **Judiciary**

Relating to forensic scientific evidence and postconviction relief.

[SSB 3083](#) **State Government**

Relating to the national guard of the state concerning armory board leases, persons subject to the code of military justice, and scholarship and loan repayment programs.

[SSB 3084](#) **Commerce**

Relating to rate regulatory proceedings before the utilities board within the utilities division of the department of commerce.

[SSB 3085](#) **Judiciary**

Relating to total amount recoverable as a noneconomic damage award against a health care provider.

[SSB 3086](#) **State Government**

Relating to the use of fire fighting foam containing certain substances, making penalties applicable, and including effective date provisions.

SSB 3087 State Government

Eliminating the commission of libraries and providing for properly related matters, and including effective date provisions.

SSB 3088 State Government

Eliminating the board of sign language interpreters and transliterators and license requirements for sign language interpreters and transliterators, and including transition provisions.

SSB 3089 State Government

Eliminating the board of hearing aid specialists and licensure requirements for hearing aid specialists, and including transition provisions.

SSB 3090 State Government

Eliminating the board of dietetics and license requirements for dietitians, and including transition provisions.

SSB 3091 State Government

Repealing the Missouri river preservation and land use authority, and including transition provisions.

SSB 3092 Commerce

Relating to the establishment of a disaster recovery homeowner assistance program and fund administered by the Iowa finance authority, transfers of moneys to certain funds, and including effective date provisions.

SSB 3093 Commerce

Relating to matters involving insurance and the insurance division of the department of commerce, providing fees, and resolving inconsistencies.

SSB 3094 Commerce

Relating to Medicaid processes, procedures, and oversight.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 101**

STATE GOVERNMENT: Whiting, Chair; Jochum and Johnson

Senate File 2008

WAYS AND MEANS: Chapman, Chair; Dotzler and R. Smith

Senate File 2045

WAYS AND MEANS: Chapman, Chair; Feenstra and Quirnbach

Senate File 2046

WAYS AND MEANS: Chapman, Chair; Bolkcom and Nunn

Senate File 2069

STATE GOVERNMENT: Schultz, Chair; Celsi and Whiting

Senate File 2070

STATE GOVERNMENT: Chapman, Chair; Cournoyer and Jochum

Senate File 2073

JUDICIARY: Nunn, Chair; Sweeney and R. Taylor

Senate File 2083

WAYS AND MEANS: Chapman, Chair; Brown and Giddens

Senate File 2086

LOCAL GOVERNMENT: Kraayenbrink, Chair; Boulton and Greene

Senate File 2087

TRANSPORTATION: Breitbach, Chair; Kinney and Zumbach

Senate File 2088

JUDICIARY: Schultz, Chair; Hogg and Nunn

[SSB 3081](#)

JUDICIARY: Sweeney, Chair; Bisignano and Whiting

[SSB 3082](#)

JUDICIARY: Garrett, Chair; Kinney and Schultz

[SSB 3083](#)

STATE GOVERNMENT: Miller-Meeks, Chair; Giddens and Johnson

[SSB 3084](#)

COMMERCE: Breitbach, Chair; Bisignano and Dawson

[SSB 3085](#)

JUDICIARY: Nunn, Chair; Kinney and Sweeney

[SSB 3086](#)

STATE GOVERNMENT: Johnson, Chair; Rozenboom and T. Taylor

[SSB 3087](#)

STATE GOVERNMENT: Cournoyer, Chair; Jochum and Rozenboom

[SSB 3088](#)

STATE GOVERNMENT: Schultz, Chair; Celsi and Whiting

[SSB 3089](#)

STATE GOVERNMENT: Schultz, Chair; Celsi and Cournoyer

[SSB 3090](#)

STATE GOVERNMENT: Schultz, Chair; Celsi and Cournoyer

[SSB 3091](#)

STATE GOVERNMENT: Rozenboom, Chair; Cournoyer and Giddens

[SSB 3092](#)

COMMERCE: Dawson, Chair; Bolkom and R. Smith

[SSB 3093](#)

COMMERCE: Koelker, Chair; Bolkcom and Dawson

[SSB 3094](#)

COMMERCE: Dawson, Chair; Chapman and Petersen

FINAL COMMITTEE REPORTS OF BILL ACTION

JUDICIARY

Bill Title: [SENATE FILE 375 \(SSB 1159\)](#), a bill for an act concerning jurors, relating to access to certain department of revenue taxpayer information for jury list compilation and juror information confidentiality.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 586](#) (formerly [SF 381](#)), a bill for an act establishing a criminal penalty for violent repeat offenders and providing for risk assessments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Chapman, Dawson, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2092](#) (formerly [SF 2005](#)), a bill for an act relating to the privacy of a victim of a sex offense in a criminal or civil proceeding.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Chapman, Dawson, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2093](#) (formerly [SF 2007](#)), a bill for an act relating to class "A" felonies and life sentences.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Chapman, Dawson, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 2095](#) (formerly [SF 587](#)), a bill for an act allowing county attorneys and assistant county attorneys to obtain a professional permit to carry weapons.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Chapman, Dawson, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. 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 Judiciary Committee on [Senate File 2095](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 2096](#) (formerly [SF 2006](#)), a bill for an act allowing certain emergency medical care providers to obtain a professional permit to carry weapons.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Chapman, Dawson, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 2097](#) ([SSB 3031](#)), a bill for an act relating to the criminal offense of indecent exposure and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Zaun, Garrett, Kinney, Bisignano, Chapman, Dawson, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting. 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 Judiciary Committee on [Senate File 2097](#), and they were attached to the committee report.

TRANSPORTATION

Bill Title: [SENATE FILE 2089 \(SSB 3021\)](#), a bill for an act disqualifying a person convicted of human trafficking involving the use of a commercial motor vehicle from operating a commercial motor vehicle for life.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, Giddens, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 2090](#) (formerly [SF 51](#)), a bill for an act relating to lighted lamps on bicycles, making penalties applicable, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 12: Kapucian, Brown, Giddens, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Whiting, and Zumbach. Nays, 1: T. Taylor. 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 Transportation Committee on [Senate File 2090](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 2091 \(SSB 3022\)](#), a bill for an act providing for exemptions relating to odometer requirements, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, Giddens, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2094 \(SSB 3002\)](#), a bill for an act creating a special minor's farm driver's license, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, Giddens, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.