

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, FEBRUARY 12, 2020

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JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 12, 2020

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

Prayer was offered by Stephen Wonbenyakeh, pastor of Serve Africa Ministry and Alive Church in Des Moines, Iowa. He was the guest of Senator Guth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Makenna Gregurek.

The Journal of Tuesday, February 11, 2020, was approved.

BILL REFERRED TO COMMITTEE

President Schneider announced that [Senate File 2190](#) be referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

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 February 11, 2020, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2164](#), a bill for an act relating to public school funding by modifying provisions relating to the regular program state cost per pupil and to appropriations to the transportation equity fund and including effective date provisions.

ALSO: That the House has on February 11, 2020, **amended and passed** the following bill in which the concurrence of the House was asked:

[Senate File 2142](#), a bill for an act relating to public school funding by establishing a state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2020, modifying provisions and references relating to the property tax replacement payment, and including effective date provisions. ([S-5005](#))

The Senate stood at ease at 9:06 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:46 a.m., President Schneider presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Feenstra and Rozenboom, until they arrive, on request of Senator Whitver.

HOUSE AMENDMENT CONSIDERED

[Senate File 2144](#)

Senator Whitver called up for consideration [Senate File 2144](#), a bill for an act relating to financial and regulatory matters by making and supplementing appropriations for the fiscal year beginning July 1, 2019, and including effective date provisions, amended by the House in House amendment [S-5004](#), filed February 11, 2020.

Senator Costello moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Costello moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2144](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Feenstra Rozenboom

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 2144](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 10:00 a.m. until 9:00 a.m., Thursday, February 13, 2020.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Jacob Handsaker, Radcliffe—For receiving the Iowa State University College of Agriculture and Life Sciences 2020 Emerging Iowa Leader Award. Senator Sweeney.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Wednesday, February 12, 2020, 2:05 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: Guest speaker, Kelly Garcia, Director, DHS vote on Governor Appointees; all passed unanimously. The following moved to Individual Confirmation Calendar: Kelly Garcia, Dir, DHS. The following moved to En Bloc Confirmation Calendar: Rafaela Cadena, Child Advocacy Board Skylar Mayberry-Mayes, Council on Human Services Blake Stephenson, Board of Behavioral Science Laura Wilcke, Board of Behavioral Science.

Adjourned: 2:40 p.m.

RULES AND ADMINISTRATION

Convened: Wednesday, February 12, 2020, 10:00 a.m.

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

Members Absent: Feenstra (excused).

Committee Business: [SR 103](#).

Adjourned: 10:05 a.m.

TRANSPORTATION

Convened: Wednesday, February 12, 2020, 2:00 p.m.

Members Present: Kapucian, Chair; Brown, Vice Chair; Giddens, Ranking Member; Breitbart, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, T. Taylor, Whiting, and Zumbach.

Members Absent: None.

Committee Business: [SF 2122](#), [SSB 3045](#), [SSB 3107](#).

Adjourned: 2:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Wednesday, February 12, 2020, 10:05 a.m.

Members Present: Lofgren, Chair; Green, Vice Chair; Dotzler, Ranking Member; Cournoyer, and J. Smith.

Members Absent: None.

Committee Business: Iowa Workforce Development presentation.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, February 12, 2020, 10:05 a.m.

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

Members Absent: None.

Committee Business: All present.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, February 12, 2020, 10:10 a.m.

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

Members Absent: None.

Committee Business: Presentations by the Department of Aging and Department of Public Health.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, February 12, 2020, 10:10 a.m.

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

Members Absent: None.

Committee Business: Presentations by Beth Skinner, Director, Department of Corrections, and by Helen Miller, Chair, Parole Board.

Adjourned: 11:30 a.m.

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

Convened: Wednesday, February 12, 2020, 10:05 a.m.

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

Members Absent: None.

Committee Business: Presentation by Chief Information Officer.

Adjourned: 10:45 a.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 104](#), 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 2236](#), by Nunn, a bill for an act relating to the removal of internet content upon request, and making penalties applicable.

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

[Senate File 2237](#), by Sinclair, a bill for an act relating to the elimination of the child support licensing sanctions process.

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

[Senate File 2238](#), by Koelker, Sweeney, Behn, Segebart, Kapucian, Greene, Nunn, Cournoyer, Shipley, Lofgren, Brown, Kraayenbrink, Whiting, Carlin, Johnson, Wahls, Kinney, Bisignano, Dotzler, Giddens, Jochum, Ragan, J. Smith, Hogg, T. Taylor, Petersen, Bolkcom, Mathis, Celsi, and Lykam, a bill for an act relating to property law by modifying provisions relating to rental properties, manufactured home communities, mobile home parks, and manufactured mobile home communities, modifying provisions governing actions relating to such properties, making penalties applicable, and including effective date and applicability provisions.

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

[Senate File 2239](#), by Guth, a bill for an act relating to false allegations regarding the mistreatment of animals, by providing for certain complaints, and providing penalties.

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

[Senate File 2240](#), by committee on State Government, a bill for an act relating to gambling facility licensees concerning setoff requirements on certain winnings on wagers and qualified sponsoring organizations.

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

[Senate File 2241](#), by committee on State Government, a bill for an act limiting authority of cities and counties to require a license or permit for businesses operated by minors.

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

[Senate File 2242](#), by Miller-Meeks, a bill for an act creating the taxpayers trust fund and the Iowa taxpayers trust fund tax credit, and making contingent transfers from the Iowa economic emergency fund.

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

[Senate File 2243](#), by Dawson, a bill for an act modifying provisions relating to telecommunicators.

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

[Senate File 2244](#), by Dawson, a bill for an act relating to restitution ordered in a criminal proceeding and court debt.

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

[Senate File 2245](#), by Schultz, a bill for an act relating to the possession and storage of firearms by a tenant of a dwelling unit or mobile home space and making penalties applicable.

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

[Senate File 2246](#), by Mathis, Wahls, Kinney, Ragan, Johnson, and Greene, a bill for an act establishing a rural teacher shortage area loan forgiveness program and fund.

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

[Senate File 2247](#), by Mathis, a bill for an act relating to awarding historic preservation tax credits to rehabilitate vacant school buildings or other public buildings into child care facilities.

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

STUDY BILLS RECEIVED

[SSB 3151](#) **Agriculture**

Relating to the regulation of grain marketing and storage, by providing for deferred payment contracts.

SSB 3152 State Government

Concerning government regulation, relating to the contractor and installation board and fund, elevator regulation, private investigative agencies, and state building code requirements, and including applicability and effective date provisions.

SSB 3153 State Government

Relating to a construction manager-at-risk commercial construction alternative delivery method and prohibiting certain other alternative delivery methods in the public sector.

SSB 3154 Local Government

Relating to persons authorized to request assistance pursuant to the statewide mutual aid compact.

SSB 3155 Commerce

Relating to pharmaceutical drug manufacturers and prescription drug prices, and including applicability provisions.

SSB 3156 State Government

Relating to the practice of barbering and cosmetology arts and sciences and providing transition provisions.

SSB 3157 Labor and Business Relations

Concerning the voluntary shared work program and including applicability provisions.

SSB 3158 Labor and Business Relations

Relating to eligibility, work, and training requirements for public assistance programs, and including effective date and implementation provisions.

SSB 3159 Human Resources

Relating to noncompetition agreements and mental health and disability services contracts with a state board of regents institution.

SSB 3160 Human Resources

Relating to the sealing of information that is a part of the record of a case of marriage dissolution.

SSB 3161 Human Resources

Relating to insurance coverage for prescription drugs used in the treatment of stage IV cancer, and including applicability provisions.

SSB 3162 Human Resources

Relating to insurance coverage for diagnostic breast cancer examinations, and including applicability provisions.

SSB 3163 Human Resources

Relating to the creation and maintenance of a database of Medicaid community choice options and consumer-directed attendant care providers.

SSB 3164 Human Resources

Relating to the practice of pharmacy, including the prescription and administration of vaccines.

SSB 3165 Human Resources

Establishing a task force relating to the reunification of an unaccompanied child or dependent adult with the child's or dependent adult's parent, guardian, or custodian following a natural disaster.

SSB 3166 Natural Resources and Environment

Relating to the review and permitting of sewer extensions and water supply distribution system extensions.

SSB 3167 Judiciary

Relating to civil actions involving asbestos and silica, and including applicability provisions.

SSB 3168 Veterans Affairs

Relating to the home ownership assistance program, and making an appropriation.

SSB 3169 Commerce

Relating to a landlord's lien on farm products and including applicability provisions.

SSB 3170 Agriculture

Relating to the mistreatment of animals, including livestock, and making penalties applicable.

SSB 3171 Agriculture

Creating the criminal offense of food operation trespass, and providing penalties.

SSB 3172 Agriculture

Relating to the powers and duties of the department of agriculture and land stewardship, including by providing for administration, programs, and regulations, providing fees, providing penalties, and making penalties applicable.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2163**

STATE GOVERNMENT: R. Smith, Chair; Schultz and T. Taylor

Senate File 2178

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

Senate File 2190

APPROPRIATIONS: Sinclair, Chair; Celsi and Lofgren

Senate File 2197

WAYS AND MEANS: Brown, Chair; Nunn and Quirnbach

Senate File 2200

WAYS AND MEANS: Dawson, Chair; Edler and Quirnbach

Senate File 2204

WAYS AND MEANS: Brown, Chair; Behn and Dotzler

[Senate File 2206](#)

EDUCATION: Rozenboom, Chair; Behn and Celsi

[Senate File 2207](#)

EDUCATION: Sinclair, Chair; Behn and J. Smith

[Senate File 2216](#)

COMMERCE: Sinclair, Chair; Koelker and Mathis

[Senate File 2217](#)

EDUCATION: Sinclair, Chair; Edler and Quirnbach

[Senate File 2218](#)

EDUCATION: Sinclair, Chair; Quirnbach and Zaun

[Senate File 2219](#)

EDUCATION: Sinclair, Chair; Behn and Quirnbach

[Senate File 2221](#)

WAYS AND MEANS: Nunn, Chair; Behn and Giddens

[Senate File 2222](#)

EDUCATION: Sinclair, Chair; Behn and Wahls

[Senate File 2223](#)

EDUCATION: Kraayenbrink, Chair; Cournoyer and Wahls

[Senate File 2226](#)

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

[Senate File 2228](#)

APPROPRIATIONS: Breitbach, Chair; Kraayenbrink and Ragan

[Senate File 2231](#)

JUDICIARY: Shipley, Chair; R. Taylor and Whiting

[Senate File 2234](#)

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

[Senate File 2235](#)

EDUCATION: Behn, Chair; Giddens and Lofgren

[SSB 3151](#)

AGRICULTURE: Kapucian, Chair; Edler and Kinney

[SSB 3152](#)

STATE GOVERNMENT: Schultz, Chair; Celsi and Johnson

[SSB 3153](#)

STATE GOVERNMENT: R. Smith, Chair; Chapman and T. Taylor

[SSB 3154](#)

LOCAL GOVERNMENT: Edler, Chair; Boulton and Kraayenbrink

[SSB 3155](#)

COMMERCE: Dawson, Chair; Koelker and Quirnbach

[SSB 3156](#)

STATE GOVERNMENT: Schultz, Chair; T. Taylor and Whiting

[SSB 3157](#)

LABOR AND BUSINESS RELATIONS: Brown, Chair; Carlin and Dotzler

[SSB 3158](#)

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Boulton and Whiting

[SSB 3159](#)

HUMAN RESOURCES: Greene, Chair; Bolkom and Garrett

[SSB 3160](#)

HUMAN RESOURCES: Carlin, Chair; Bolkom and Greene

[SSB 3161](#)

HUMAN RESOURCES: Greene, Chair; Johnson and Quirnbach

[SSB 3162](#)

HUMAN RESOURCES: Carlin, Chair; Greene and Mathis

[SSB 3163](#)

HUMAN RESOURCES: Greene, Chair; Costello and Ragan

[SSB 3164](#)

HUMAN RESOURCES: Greene, Chair; Johnson and Mathis

[SSB 3165](#)

HUMAN RESOURCES: Carlin, Chair; Jochum and Johnson

[SSB 3166](#)

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; Kapucian and Lykam

[SSB 3167](#)

JUDICIARY: Nunn, Chair; Hogg and Zaun

[SSB 3168](#)

VETERANS AFFAIRS: Koelker, Chair; Dotzler and Lofgren

[SSB 3169](#)

COMMERCE: Brown, Chair; Dawson and Lykam

[SSB 3170](#)

AGRICULTURE: Edler, Chair; Mathis and Zumbach

[SSB 3171](#)

AGRICULTURE: Brown, Chair; Kinney and Zumbach

[SSB 3172](#)

AGRICULTURE: Rozenboom, Chair; Kapucian and Wahls

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 103](#), a resolution for celebrating July 2, 2019, as the 100th anniversary of the State of Iowa ratifying the Nineteenth Amendment to the United States Constitution.

Recommendation: DO PASS.

Final Vote: Yeas, 10: Whitver, Schneider, Petersen, Behn, Bolkcom, Chapman, Jochum, Ragan, Sinclair, and R. Smith. Nays, none. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *[SENATE FILE 2240 \(SSB 3066\)](#), a bill for an act relating to gambling facility licensees concerning setoff requirements on certain winnings on wagers and qualified sponsoring organizations.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 2240](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2241 \(SSB 3065\)](#), a bill for an act limiting authority of cities and counties to require a license or permit for businesses operated by minors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 9: R. Smith, Johnson, Chapman, Cournoyer, Miller-Meeks, Rozenboom, Schultz, Whiting, and Zaun. Nays, 5: Bisignano, Celsi, Giddens, Jochum, and T. Taylor. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 2241](#), and they were attached to the committee report.

GOVERNOR'S APPOINTEES PLACED ON EN BLOC CONFIRMATION CALENDAR

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

HUMAN RESOURCES

Blake Stephenson –Board of Behavioral Science
Laura Wilcke –Board of Behavioral Science

Rafaela Cadena – Child Advocacy Board

Skylar Mayberry-Mayes – Council on Human Services

**GOVERNOR'S APPOINTEE PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

HUMAN RESOURCES

Kelly Kennedy Garcia – Director of the Department of Human Services

BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for her approval on this 12th day of February, 2020.

[Senate File 2144.](#)

W. CHARLES SMITHSON
Secretary of the Senate

AMENDMENT FILED

[S-5005](#) [S.F. 2142](#) House