

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, APRIL 16, 2019

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JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 16, 2019

The Senate met in regular session at 9:01 a.m., President Schneider presiding.

Prayer was sung by Ms. Alyseia Sanchez, Praise Team member of Morningside Assembly of God Church in Sioux City, Iowa. She was the guest of Senator Carlin.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ben Theuma.

The Journal of Monday, April 15, 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 April 15, 2019, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 590](#), a bill for an act relating to payments from the indigent defense fund by the state public defender for costs incurred by a privately retained attorney representing an indigent person.

ALSO: That the House has on April 15, 2019, **amended and passed** the following bill in which the concurrence of the House was asked:

[Senate File 267](#), a bill for an act relating to the practice of massage therapy, and providing penalties. ([S-3162](#))

[Senate File 567](#), a bill for an act relating to disqualifications from holding certain professional licenses for persons convicted of certain felonies. ([S-3163](#))

ALSO: That the House has on April 15, 2019, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

[House File 591](#), a bill for an act providing for juvenile court jurisdiction over minor guardianship proceedings and including effective date and applicability provisions.

[House File 610](#), a bill for an act relating to the opening of guardianships for adults and conservatorships for adults and minors and the administration of guardianships and conservatorships.

[House File 679](#), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including retroactive applicability provisions.

ALSO: That the House has on April 15, 2019, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 740](#), a bill for an act relating to the state budget process.

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

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate Resolution 22](#).

Senate Resolution 22

On motion of Senator Boulton, [Senate Resolution 22](#), a resolution for recognizing and congratulating the Grand View University Vikings wrestling team on winning the National Association of Intercollegiate Athletics Wrestling National Championship for the eighth consecutive year, with report of committee recommending passage, was taken up for consideration.

Senator Boulton moved the adoption of [Senate Resolution 22](#), which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Boulton introduced to the Senate chamber, Nick Mitchell, head wrestling coach at Grandview University in Des Moines, Iowa; accompanied by members of the men's wrestling team.

Coach Mitchell addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

The Senate stood at ease at 9:12 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:50 a.m., President Schneider presiding.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 479](#).

Senate File 479

On motion of Senator Edler, [Senate File 479](#), a bill for an act 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, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Edler offered amendment [S-3161](#), filed by him from the floor, striking and replacing everything after the enacting clause. of the bill, and moved its adoption.

Amendment [S-3161](#) was adopted by a voice vote.

Senator Edler asked and received unanimous consent that [House File 690](#) be **substituted** for [Senate File 479](#).

[House File 690](#)

On motion of Senator Edler, [House File 690](#), a bill for an act 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, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on [House File 690](#) be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Shipley, until he arrives, on request of Senator Zumbach.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 598 and 570.

[House File 598](#)

On motion of Senator Sinclair, [House File 598](#), a bill for an act relating to the assignment of pupils who are siblings to classrooms by school districts, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, was taken up for consideration.

Senator Sinclair 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?" ([H.F. 598](#)), the vote was:

Yeas, 44:

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

Nays, 5:

Celsi	Giddens	Hogg	Smith, J.
Taylor, R.			

Absent, 1:

Shiple

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

[House File 570](#)

On motion of Senator Segebart, [House File 570](#), a bill for an act relating to the brain injury home and community-based services waiver monthly budget maximum, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, 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?" ([H.F. 570](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Shipley

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 **House Files 570** and **598** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 603](#).

[Senate File 603](#)

On motion of Senator Sinclair, [Senate File 603](#), a bill for an act 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 certain accredited nonpublic schools and community colleges, and including retroactive applicability provisions, was taken up for consideration.

Senator Sinclair 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. 603](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Shipley

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

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [House File 606](#).

[House File 606](#)

On motion of Senator Johnson, [House File 606](#), a bill for an act relating to continuing education requirements for certain professions, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, 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?" ([H.F. 606](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Shipley

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 603](#) and [House File 606](#) be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration House Files 292 and 532.

House File 292

On motion of Senator Miller-Meeks, [House File 292](#), a bill for an act relating to the frequency of the reporting of the annual analysis and findings relative to Medicaid managed care member appeals, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller-Meeks offered amendment [S-3121](#), filed by the committee on Human Resources on April 4, 2019, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-3121](#) was adopted by a voice vote.

Senator Miller-Meeks 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?" ([H.F. 292](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Shipley

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

House File 532

On motion of Senator Miller-Meeks, [House File 532](#), a bill for an act relating to the awarding of medical residency positions in the state, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller-Meeks offered amendment [S-3122](#), filed by the committee on Human Resources on April 4, 2019, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-3122](#) was adopted by a voice vote.

Senator Miller-Meeks 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?" ([H.F. 532](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Shipley

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

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 292 and 532** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

[Senate File 346](#)

Senator Whitver called up for consideration [Senate File 346](#), a bill for an act creating the criminal offense of female genital mutilation and providing penalties, amended by the House in House amendment [S-3155](#), filed April 11, 2019.

Senator Sinclair 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 Sinclair 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. 346](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

ShIPLEY

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

RECESS

On motion of Senator Whitver, the Senate recessed at 11:40 a.m. until the fall of the gavel.

APPENDIX—1

REPORT OF COMMITTEE MEETING

ADMINISTRATION AND REGULATION APPROPRIATIONS SUBCOMMITTEE

Convened: Monday, April 15, 2019, 1:30 p.m.

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

Members Absent: None.

Committee Business: [HF 759](#).

Adjourned: 1:50 p.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 26](#), by Sweeney, Dotzler, Edler, Giddens, Kapucian, and Johnson, a resolution for honoring and congratulating Dr. Christopher A. Duree and Dr. Linda Allen upon their respective retirements as the Chancellor of Iowa Valley Community College District and the President of Hawkeye Community College.

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

STUDY BILLS RECEIVED

[SSB 1257](#) **Appropriations**

Making appropriations to the department of public health for the gambling treatment program.

[SSB 1258](#) **Ways and Means**

Reestablishing individual income tax checkoffs for the Iowa state fair foundation fund and the joint income tax checkoff for the veterans trust fund and the volunteer fire fighter preparedness fund.

[SSB 1259](#) **Ways and Means**

Relating to the home and community-based services revolving loan program fund and the transitional housing revolving loan program fund, and the transfer of moneys and the deposit of outstanding loan repayments to the manufactured housing program fund.

SUBCOMMITTEE ASSIGNMENTS

[House File 419](#)

STATE GOVERNMENT: Miller-Meeks, Chair; Celsi and Cournoyer

[House File 752](#)

(Reassigned)

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

[SSB 1257](#)

APPROPRIATIONS: Breitbach, Chair; Bolkcom and Kraayenbrink

[SSB 1258](#)

WAYS AND MEANS: Schultz, Chair; Behn and Dotzler

[SSB 1259](#)

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

RECONVENED

The Senate reconvened at 4:13 p.m., President Schneider presiding.

QUORUM CALL

Senator Schultz requested a nonrecord roll call to determine that a quorum was present.

The Chair declared a quorum present.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [House File 685](#).

[House File 685](#)

On motion of Senator Edler, [House File 685](#), a bill for an act relating to the payment of required medical aid provided to prisoners of county jails, placed on the Unfinished Business Calendar on April 11, 2019, with report of committee recommending passage, 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?” ([H.F. 685](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Shipley

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 [House File 685](#) be **immediately messaged** to the House.

BUSINESS PENDING

[House File 690](#)

The Senate resumed consideration of [House File 690](#), a bill for an act 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, previously deferred.

Senator Hogg offered amendment [S-3164](#), filed by him from the floor to pages 6 and 12 of the bill.

Senator Edler raised the point of order that amendment [S-3164](#) was not germane to the bill.

Senator Hogg asked and received unanimous consent that action on amendment [S-3164](#) and [House File 690](#) be **deferred**.

The Senate stood at ease at 4:34 p.m. until the fall of the gavel.

The Senate resumed session at 5:54 p.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dawson, until he returns, on request of Senator Schultz.

BUSINESS PENDING

[House File 690](#)

The Senate resumed consideration of [House File 690](#), a bill for an act 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, and amendment [S-3164](#), previously deferred.

Senator Hogg asked and received unanimous consent that action on amendment [S-3164](#) be deferred.

Senator Hogg offered amendment [S-3167](#), filed by him from the floor to page 11 of the bill, and moved its adoption.

Amendment [S-3167](#) lost by a voice vote.

Senator Hogg withdrew amendment [S-3164](#), previously deferred.

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?" ([H.F. 690](#)), the vote was:

Yeas, 46:

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

Nays, 2:

Guth	Hogg
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Absent, 2:

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

WITHDRAWN

Senator Edler asked and received unanimous consent that [Senate File 479](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [House File 690](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 6:19 p.m. until 9:00 a.m., Wednesday, April 17, 2019.

APPENDIX—2**STUDY BILL RECEIVED****SSB 1260 Ways and Means**

Relating to local government budgets and property taxation by modifying provisions governing the establishment and approval of county and city budgets, requiring establishment of a property tax system advisory group, modifying provisions relating to property tax credits for persons who have reached sixty-five years of age, modifying provisions relating to the state appraisal manual, and including effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**House File 740**

APPROPRIATIONS: Breitbach, Chair; Bolkcom and Kraayenbrink

SSB 1260

WAYS AND MEANS: Feenstra, Chair; Dawson and Jochum

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 16, 2019, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 159 – Relating to assessment scores set by the department of education for successful completion of a practitioner preparation program and for initial teacher licensure and providing for related matters.

Senate File 245 – Relating to eligibility and reporting requirements for the skilled workforce shortage tuition grant program.

Senate File 246 – Relating to requirements for eligibility under the all Iowa opportunity scholarship program.

AMENDMENTS FILED

<u>S-3161</u>	<u>S.F. 479</u>	Jeff Edler
<u>S-3162</u>	<u>S.F. 267</u>	House
<u>S-3163</u>	<u>S.F. 567</u>	House

<u>S-3164</u>	<u>H.F. 690</u>	Robert M. Hogg
<u>S-3165</u>	<u>S.F. 619</u>	Zach Nunn
<u>S-3166</u>	<u>S.F. 567</u>	Jim Carlin
<u>S-3167</u>	<u>H.F. 690</u>	Robert M. Hogg