

PROOF

STATE OF IOWA

Senate Journal

MONDAY, FEBRUARY 18, 2019

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JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-FIRST SESSION DAY

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

The Senate met in regular session at 1:01 p.m., President Schneider presiding.

Prayer was offered by Pastor Jeff Ferguson of the Glory Baptist Church in Carlisle, Iowa. He was the guest of Senator Nunn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ellie Reece.

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

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 13, 2019, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 9, a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-eighth General Assembly.

Read first time and attached to **companion Senate Concurrent Resolution 3**.

BILLS REFERRED TO COMMITTEE

President Schneider announced that **Senate Files 76 and 271** were referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38.

The Senate stood at ease at 1:09 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:40 p.m., President Schneider presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller-Meeks, until she arrives, on request of Senator Whitver.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 113 and 139.

[Senate File 113](#)

On motion of Senator Nunn, [Senate File 113](#), a bill for an act allowing certain operating-while-intoxicated offenders to be sentenced as habitual offenders, and making penalties applicable, was taken up for consideration.

Senator Nunn 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. 113](#)), the vote was:

Yeas, 48:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dawson
Dotzler	Edler	Feenstra	Garrett

Greene	Guth	Hogg	Jochum
Johnson	Kapucian	Kinney	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	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:

Miller-Meeks

Vacant, 1.

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

[Senate File 139](#)

On motion of Senator Edler, [Senate File 139](#), a bill for an act relating to a financial literacy requirement under the state's educational standards, 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. 139](#)), the vote was:

Yeas, 48:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dawson
Dotzler	Edler	Feenstra	Garrett
Greene	Guth	Hogg	Jochum
Johnson	Kapucian	Kinney	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
Nunn	Petersen	Quirmbach	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:

Miller-Meeks

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 113 and 139** 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 230](#).

[Senate File 230](#)

On motion of Senator Breitbach, [Senate File 230](#), a bill for an act relating to manufacturers of native distilled spirits and beer, was taken up for consideration.

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. 230](#)), the vote was:

Yeas, 46:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Chapman
Cournoyer	Dawson	Dotzler	Edler
Feenstra	Garrett	Greene	Guth
Hogg	Jochum	Johnson	Kapucian
Kinney	Koelker	Kraayenbrink	Lofgren
Lykam	Mathis	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, 2:

Celsi Costello

Absent, 1:

Miller-Meeks

Vacant, 1.

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

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate Concurrent Resolution 3](#).

[Senate Concurrent Resolution 3](#)

On motion of Senator Costello, [Senate Concurrent Resolution 3](#), a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-eighth General Assembly, was taken up for consideration.

Senator Costello asked and received unanimous consent that [House Concurrent Resolution 9](#) be **substituted** for [Senate Concurrent Resolution 3](#).

[House Concurrent Resolution 9](#)

On motion of Senator Costello, [House Concurrent Resolution 9](#), a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-eighth General Assembly, was taken up for consideration.

Senator Costello moved the adoption of [House Concurrent Resolution 9](#), which motion prevailed by a voice vote.

WITHDRAWN

Senator Costello asked and received unanimous consent that [Senate Concurrent Resolution 3](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that [Senate File 230](#) and [House Concurrent Resolution 9](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration [Senate File 220](#).

[Senate File 220](#)

On motion of Senator Feenstra, [Senate File 220](#), a bill for an act 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, was taken up for consideration.

Senator Feenstra 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. 220](#)), the vote was:
Yeas, 48:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	Celsi
Chapman	Costello	Cournoyer	Dawson
Dotzler	Edler	Feenstra	Garrett
Greene	Guth	Hogg	Jochum
Johnson	Kapucian	Kinney	Koelker
Kraayenbrink	Lofgren	Lykam	Mathis
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:

Miller-Meeks

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

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 2:15 p.m. until 9:00 a.m., Tuesday, February 19, 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:

CHIEF INFORMATION OFFICER

Information Technology Services Financial Report, pursuant to Iowa Code section 8B.21. Report received on February 15, 2019.

LEGISLATIVE SERVICES AGENCY

Urban Renewal Report–Tax Increment Financing (TIF), pursuant to Iowa Code section 331.403. Report received on February 15, 2019.

DEPARTMENT OF MANAGEMENT

Grants Enterprise Management Compliance Report, pursuant to Iowa Code section 8.9. Report received on February 15, 2019.

DEPARTMENT OF NATURAL RESOURCES

Low-Level Radioactive Waste Compact Report, pursuant to Iowa Code section 457B.1. Report received on February 18, 2019.

CERTIFICATE OF RECOGNITION

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

Bow Tie Automotive Collision Repair, Tipton—For operating over 25 years in business. Senator Wahls.

REPORTS OF COMMITTEE MEETINGS

TRANSPORTATION

Convened: Monday, February 18, 2019, 2:15 p.m.

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

Members Absent: None.

Committee Business: [SF 62](#) and [SSB 1128](#).

Adjourned: 2:50 p.m.

WAYS AND MEANS

Convened: Monday, February 18, 2019, 3:05 p.m.

Members Present: Feenstra, Chair; Dawson, Vice Chair; Jochum, Ranking Member; Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Nunn, Quirnbach, Schultz, J. Smith, R. Smith, Sweeney, and Wahls.

Members Absent: None.

Committee Business: [SF 132](#), passed unanimously short form vote. [SF 1](#), passed—yeas: 11; nays: 6 (Senators Jochum, Bolkcom, Dotzler, Quirnbach, J. Smith, and Wahls.)

Adjourned: 4:00 p.m.

INTRODUCTION OF BILLS

[Senate File 276](#), by Mathis, a bill for an act relating to specified professional benefits, accommodations, and representations, and including effective date provisions.

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

[Senate File 277](#), by Cournoyer, a bill for an act relating to manufacturers of alcoholic beverages.

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

[Senate File 278](#), by Petersen, Bolkcom, Quirnbach, Celsi, T. Taylor, R. Taylor, Wahls, J. Smith, and Mathis, a bill for an act requiring community colleges and institutions of higher learning governed by the state board of regents to offer to certain students financial literacy programs designed to reduce student loan debt.

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

[Senate File 279](#), by Shipley, Cournoyer, Segebart, Schultz, Behn, Sinclair, Zaun, Edler, Miller-Meeks, Sweeney, Guth, Breitbach, Brown, Zumbach, Johnson, Koelker, Kapucian, Rozenboom, Greene, Kraayenbrink, Feenstra, Kinney, Bisignano, R. Taylor, T. Taylor, Celsi, Lykam, Quirnbach, Bolkcom, Petersen, Ragan, Mathis, J. Smith, Danielson, Wahls, and Boulton, a bill for an act relating to hemp, including the regulation of hemp, providing for enforcement and the confiscation and destruction or disposal of certain property, providing for fees, making appropriations, including penalties, and providing implementation and effective date provisions.

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

[Senate File 280](#), by committee on Natural Resources and Environment, a bill for an act relating to the residency of members of the armed forces stationed at specified military installations for purposes of hunting, fishing, and trapping privileges.

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

[Senate File 281](#), by committee on Natural Resources and Environment, a bill for an act relating to the process and fees associated with the registration and title of vessels, snowmobiles, and all-terrain vehicles.

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

[Senate File 282](#), by committee on Natural Resources and Environment, a bill for an act providing for the repeal of the honey creek premier destination park bond program.

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

[Senate File 283](#), by committee on Local Government, a bill for an act relating to conflicts of interest in certain government public contracts.

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

[Senate File 284](#), by Lofgren, a bill for an act relating to shared operational functions for purposes of supplementary weighting for school districts and including effective date and applicability provisions.

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

[Senate File 285](#), by Boulton, a bill for an act providing for criminal offenses related to beekeeping.

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

[Senate File 286](#), by Chapman and Behn, a bill for an act prohibiting persons from intentionally blocking the movement of traffic on certain highways, and providing penalties.

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

[Senate File 287](#), by Chapman, a bill for an act relating academic eligibility standards for public school students participating in extracurricular interscholastic athletic contests or competitions.

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

[Senate File 288](#), by Chapman, a bill for an act relating to purple marks or caps on top of trees or posts to indicate that unlawful entry constitutes criminal trespass and making penalties applicable.

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

[Senate File 289](#), by Chapman, a bill for an act repealing statewide registration requirements for interior designers.

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

[Senate File 290](#), by Chapman, a bill for an act relating to goose hunting on private property.

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

[Senate File 291](#), by Koelker, a bill for an act relating to the dispensing of insulin in emergency situations, and providing for insurance coverage.

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

[Senate File 292](#), by Greene, a bill for an act relating to continuity of care and nonmedical switching by health carriers, health benefit plans, and utilization review organizations, and including applicability provisions.

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

[Senate File 293](#), by Sweeney, a bill for an act creating an exemption to the water services excise tax.

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

[Senate File 294](#), by Chapman, a bill for an act relating to state financing involving the state general fund expenditure limitation by revising calculation requirements for the limitation, creating a safety net fund, making transfers, and providing for related state personal income tax rate reductions, and including effective date and applicability provisions.

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

STUDY BILLS RECEIVED

[SSB 1167](#) **Judiciary**

Creating a blue alert program within the department of public safety for the apprehension of a person suspected of killing or seriously injuring a peace officer in the line of duty or due to safety concerns for a peace officer missing while on duty.

[SSB 1168](#) **State Government**

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.

SSB 1169 **Agriculture**

Relating to the definition of “circus” and making penalties applicable.

SSB 1170 **Judiciary**

Relating to the nonconsensual termination of and serious injury to a human pregnancy, and providing penalties.

SSB 1171 **Judiciary**

Relating to the peace officer, public safety, and emergency personnel bill of rights, and providing an immediate effective date.

SSB 1172 **Judiciary**

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.

SSB 1173 **Commerce**

Modifying provisions relating to the licensure of professional landscape architects.

SSB 1174 **Commerce**

Relating to matters under the purview of the utilities division of the department of commerce, and making penalties applicable.

SSB 1175 **Commerce**

Relating to the subpoena powers of the superintendent of credit unions, and making penalties applicable.

SSB 1176 Commerce

Providing for the good-faith submission of information, records, applications, and documents to the credit union division.

SSB 1177 Commerce

Relating to procedural requirements for the merger of state credit unions.

SSB 1178 Commerce

Modifying provisions relating to the certification of real estate appraisers and making penalties applicable.

SUBCOMMITTEE ASSIGNMENTS**Senate File 26**
(Reassigned)

TRANSPORTATION: Zumbach, Chair; Cournoyer and T. Taylor

Senate File 54
(Reassigned)

EDUCATION: Sinclair, Chair; Ragan and Zaun

Senate File 191

HUMAN RESOURCES: Edler, Chair; Jochum and Johnson

Senate File 193
(Reassigned)

TRANSPORTATION: Brown, Chair; Lykam and Shipley

Senate File 219
(Reassigned)

EDUCATION: Johnson, Chair; Kraayenbrink and Quirmbach

Senate File 236
(Reassigned)

TRANSPORTATION: Cournoyer, Chair; Brown and Jochum

[Senate File 253](#)

HUMAN RESOURCES: Edler, Chair; Bolkcom and Johnson

[Senate File 263](#)

VETERANS AFFAIRS: Costello, Chair; Carlin and Ragan

[Senate File 264](#)

TRANSPORTATION: Shipley, Chair; Koelker and J. Smith

[Senate File 270](#)

EDUCATION: Edler, Chair; Kraayenbrink and Ragan

[Senate File 278](#)

EDUCATION: Rozenboom, Chair; Sweeney and Wahls

[Senate File 279](#)

AGRICULTURE: Shipley, Chair; Kapucian, Kinney, Wahls, and Zumbach

[Senate File 285](#)

JUDICIARY: R. Taylor, Chair; Sweeney and Zaun

[SSB 1025](#)
(Reassigned)

TRANSPORTATION: Kapucian, Chair; Kinney and Shipley

[SSB 1167](#)

JUDICIARY: Dawson, Chair; Kinney and Whiting

[SSB 1168](#)

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

[SSB 1169](#)

AGRICULTURE: Costello, Chair; Edler and Wahls

[SSB 1170](#)

JUDICIARY: Chapman, Chair; Petersen and Zaun

[SSB 1171](#)

JUDICIARY: Dawson, Chair; Kinney and Shipley

[SSB 1172](#)

JUDICIARY: Whiting, Chair; R. Taylor and Zaun

[SSB 1173](#)

COMMERCE: R. Smith, Chair; Koelker and Quirnbach

[SSB 1174](#)

COMMERCE: Nunn, Chair; Johnson and Mathis

[SSB 1175](#)

COMMERCE: Breitbach, Chair; Bolkom and Nunn

[SSB 1176](#)

COMMERCE: Breitbach, Chair; Bolkom and Nunn

[SSB 1177](#)

COMMERCE: Nunn, Chair; Bolkom and Breitbach

[SSB 1178](#)

COMMERCE: R. Smith, Chair; Chapman and Petersen

FINAL COMMITTEE REPORTS OF BILL ACTION

LOCAL GOVERNMENT

Bill Title: *[SENATE FILE 283](#) ([SSB 1094](#)), a bill for an act relating to conflicts of interest in certain government public contracts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 8: Edler, Greene, J. Smith, Garrett, Guth, Kraayenbrink, Lofgren, and Segebart. Nays, 3: Boulton, Hogg, and Quirnbach. 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 Local Government Committee on [Senate File 283](#), and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *[SENATE FILE 280](#) (formerly [SF 215](#)), a bill for an act relating to the residency of members of the armed forces stationed at specified military installations for purposes of hunting, fishing, and trapping privileges.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Rozenboom, Shipley, Hogg, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach. 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 Natural Resources and Environment Committee on [Senate File 280](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 281 \(SSB 1122\)](#), a bill for an act relating to the process and fees associated with the registration and title of vessels, snowmobiles, and all-terrain vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Rozenboom, Shipley, Hogg, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 282 \(SSB 1121\)](#), a bill for an act providing for the repeal of the honey creek premier destination park bond program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Rozenboom, Shipley, Hogg, Behn, Boulton, Celsi, Cournoyer, Kapucian, Lykam, Segebart, J. Smith, Sweeney, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RESIGNATION OF SENATOR

February 14, 2019

Senate President Charles Schneider
Iowa Capitol
Des Moines, Iowa 50319

Speaker Linda Upmeyer
Iowa Capitol
Des Moines, Iowa 50319

President Whitver and Speaker Upmeyer,

I resign my position as Iowa State Senator effective immediately.

Sincerely,

Jeff Danielson

COMMITTEE CHANGES

Senator Petersen announced the following changes to the following committees:

Education	Amanda Ragan (replacing Danielson)
State Government	Jim Lykam (replacing Danielson)
Transportation	Todd Taylor now Ranking Member Pam Jochum (replacing Danielson)
Veterans Affairs	Kevin Kinney (replacing Danielson)
Ways and Means	Jackie Smith (replacing Danielson)