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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, MARCH 21, 2019**

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# JOURNAL OF THE SENATE

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SIXTY-SEVENTH CALENDAR DAY  
FORTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, March 21, 2019

The Senate met in regular session at 9:02 a.m., President Schneider presiding.

Prayer was sung by Margaret Guth, wife and secretary of Senator Dennis Guth.

## PLEDGE OF ALLEGIANCE

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

The Journal of Wednesday, March 20, 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 20, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 625](#), a bill for an act relating to the integration of Medicaid and healthy and well kids in Iowa program eligibility, payment, and administrative functions under the department of human services.

Read first time and attached to **companion** [Senate File 541](#).

[House File 698](#), a bill for an act relating to the jurisdiction and management of pioneer cemeteries.

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

[House File 707](#), a bill for an act relating to service of process relating to juvenile delinquency proceedings and termination of the parent-child relationship proceedings.

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

[House File 716](#), a bill for an act relating to firearms requirements for hunting deer.

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

[House File 726](#), a bill for an act relating to certain health and human services-related entities including membership, reimbursement, and the elimination or combining of such entities.

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

[House File 735](#), a bill for an act relating to the management of soil and water resources, including projects described in the Iowa nutrient reduction strategy, and the use of a county tax levy.

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

#### INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Mark Schuling, the Governor's appointee to be the Consumer Advocate. He was the guest of Senators Chapman and Kinney and the committee on Commerce.

The Secretary of the Senate introduced Geri Huser, the Governor's appointee to be the Chair of the Iowa Utilities Board. She was the guest of Senators Chapman and Kinney and the committee on Commerce.

The Senate stood at ease at 9:09 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:37 a.m., President Schneider presiding.

#### BILL REFERRED TO COMMITTEE

President Schneider announced that [Senate File 327](#) be referred from the Regular Calendar to the committee on **Ways and Means** under Senate Rule 38.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bisignano, Celsi, and R. Taylor, until they arrive, on request of Senator Petersen.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 112, 435, and 505.

#### [Senate File 112](#)

On motion of Senator Chapman, [Senate File 112](#), a bill for an act relating to the requirements for certifications of trust and including applicability provisions, was taken up for consideration.

Senator Chapman 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. 112](#)), the vote was:

Yeas, 46:

Behn	Bolkcom	Boulton	Breitbart
Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	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, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, 3:

Bisignano	Celsi	Taylor, R.
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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.

### Senate File 435

On motion of Senator Kapucian, [Senate File 435](#), a bill for an act relating to towable recreational vehicles, travel trailers, and fifth-wheel travel trailers, making penalties applicable, and including applicability provisions, was taken up for consideration.

Senator Kapucian 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. 435](#)), the vote was:

Yeas, 46:

Behn	Bolkcom	Boulton	Breitbach
Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	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, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, 3:

Bisignano            Celsi                    Taylor, R.

Vacant, 1.

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

### [Senate File 505](#)

On motion of Senator Koelker, [Senate File 505](#), a bill for an act modifying provisions relating to the licensure of professional landscape architects, was taken up for consideration.

Senator Koelker 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. 505](#)), the vote was:

Yeas, 46:

Behn	Bolkcom	Boulton	Breitbach
Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	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, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, 3:

Bisignano            Celsi                    Taylor, R.

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 112, 435, and 505** 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 512, 531, and 572.

#### [Senate File 512](#)

On motion of Senator Carlin, [Senate File 512](#), a bill for an act relating to military and veterans benefits, was taken up for consideration.

Senator Carlin offered amendment [S-3036](#), filed by him on March 18, 2019, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment [S-3036](#) was adopted by a voice vote.

Senator Carlin asked and received unanimous consent that [House File 288](#) be **substituted** for [Senate File 512](#).

#### [House File 288](#)

On motion of Senator Carlin, [House File 288](#), a bill for an act relating to military and veterans benefits, was taken up for consideration.

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?" ([H.F. 288](#)), the vote was:

Yeas, 46:

Behn	Bolkcom	Boulton	Breitbach
Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	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, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, 3:

Bisignano	Celsi	Taylor, R.
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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.

#### WITHDRAWN

Senator Carlin asked and received unanimous consent that [Senate File 512](#) be **withdrawn** from further consideration of the Senate.

#### [Senate File 531](#)

On motion of Senator Carlin, [Senate File 531](#), a bill for an act relating to pediatric congenital heart surgery including data reporting and the provision of patient education by hospitals, was taken up for consideration.



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

Yeas, 46:

Behn	Bolkcom	Boulton	Breitbach
Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	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, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, 3:

Bisignano	Celsi	Taylor, R.
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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.

### [Senate File 572](#)

On motion of Senator Miller-Meeks, [Senate File 572](#), a bill for an act relating to controlled substances, including amending information collection and reporting requirements under the Iowa prescription monitoring program, amending the controlled substance schedules, removing certain references to marijuana, making penalties applicable, and including effective date provisions, was taken up for consideration.

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?" ([S.F. 572](#)), the vote was:

Yeas, 46:

Behn	Bolkcom	Boulton	Breitbach
Brown	Carlin	Chapman	Costello
Cournoyer	Dawson	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, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, 3:

Bisignano	Celsi	Taylor, R.
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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 Files 531** and **572** and [House File 288](#) 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 576 and 581.

#### [Senate File 576](#)

On motion of Senator Chapman, [Senate File 576](#), a bill for an act relating to the protection of certain patient information and data under the purview of the department of public health, was taken up for consideration.

Senator Chapman 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. 576](#)), the vote was:

Yeas, 34:

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

Nays, 13:

Bolkcom	Boulton	Celsi	Dotzler
Hogg	Jochum	Lykam	Mathis
Petersen	Ragan	Smith, J.	Taylor, T.
Wahls			

Absent, 2:

Bisignano	Taylor, R.
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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.

### [Senate File 581](#)

On motion of Senator Feenstra, [Senate File 581](#), a bill for an act relating to the auditor of state and including effective date and applicability provisions, was taken up for consideration.

Senator Feenstra offered amendment [S-3066](#), filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment [S-3066](#) was adopted by a voice vote.

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

Yeas, 47:

Behn	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	Miller-Meeks
Nunn	Petersen	Quirnbach	Ragan
Rozenboom	Schneider	Schultz	Segebart
Shipley	Sinclair	Smith, J.	Smith, R.
Sweeney	Taylor, T.	Wahls	Whiting
Whitver	Zaun	Zumbach	

Nays, none.

Absent, 2:

Bisignano            Taylor, R.

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 576** and **581** be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 11:27 a.m. until 1:00 p.m., Monday, March 25, 2019.

**APPENDIX****REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS**

**Convened:** Thursday, March 21, 2019, 11:30 a.m.

**Members Present:** Breitbart, Chair; Kraayenbrink, Vice Chair; Bolkcom, Ranking Member; Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls.

**Members Absent:** None.

**Committee Business:** SFs 138, 488, and 554; and [SSB 1243](#).

**Adjourned:** 12:05 p.m.

**NATURAL RESOURCES AND ENVIRONMENT**

**Convened:** Thursday, March 21, 2019, 1:05 p.m.

**Members Present:** Rozenboom, Chair; Shipley, Vice Chair; Behn, Celsi, Cournoyer, Kapucian, Lykam, J. Smith, and Zumbach.

**Members Absent:** Hogg, Ranking Member; Boulton, Segebart, and Sweeney (all excused).

**Committee Business:** Hearing of Governor's Appointees to be considered for the Environmental Protection Commission: Stephanie Dykshorn, Amy Echard (via teleconference), Tim Kaldenberg, and Ralph Lents. Consideration of Governor's Appointments: Marcus Branstad and Laura Foell for the Natural Resource Commission, Karen Andeweg for the Petroleum Underground Storage Tank Fund Board, Mark Cobb, Gary Langbein, and Brian Wiegert for the Renewable Fuel Infrastructure Commission.

**Adjourned:** 1:30 p.m.

**INTRODUCTION OF RESOLUTION**

[Senate Resolution 13](#), by Nunn, Behn, Kinney, Edler, Kapucian, Dotzler, and Johnson, a resolution for honoring and recognizing the special relationship between Taiwan and the State of Iowa.

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

## INTRODUCTION OF BILLS

[Senate File 599](#), by committee on Ways and Means, 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, including penalties, and providing implementation and effective date provisions.

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

[Senate File 600](#), by committee on Appropriations, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, and including effective date provisions.

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

[Senate File 601](#), by committee on Appropriations, a bill for an act establishing a pesticide administration and enforcement fund and making appropriations.

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

[Senate File 602](#), by committee on Appropriations, a bill for an act relating to incentives for whole grade sharing and school district reorganization or dissolution.

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

## SUBCOMMITTEE ASSIGNMENTS

### [Senate File 327](#)

WAYS AND MEANS: Dawson, Chair; Carlin and Jochum

### [House File 386](#)

VETERANS AFFAIRS: Edler, Chair; Miller-Meeks and R. Taylor

**House File 692**

(Reassigned)

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

## FINAL COMMITTEE REPORTS OF BILL ACTION

## APPROPRIATIONS

**Bill Title:** [SENATE FILE 600 \(SSB 1243\)](#), a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 21: Breitbach, Kraayenbrink, Bolkcom, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## ALSO:

**Bill Title:** [SENATE FILE 601](#) (formerly [SF 554](#)), a bill for an act establishing a pesticide administration and enforcement fund and making appropriations.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 21: Breitbach, Kraayenbrink, Bolkcom, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## ALSO:

**Bill Title:** [SENATE FILE 602](#) (formerly [SF 138](#)), a bill for an act relating to incentives for whole grade sharing and school district reorganization or dissolution.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 21: Breitbach, Kraayenbrink, Bolkcom, Celsi, Costello, Dotzler, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Mathis, Miller-Meeks, Ragan, Rozenboom, Schneider, Shipley, T. Taylor, and Wahls. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**WAYS AND MEANS**

**Bill Title:** \*[SENATE FILE 599](#) (formerly [SF 279](#)), 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, including penalties, and providing implementation and effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 17: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Nunn, Quirmbach, Schultz, J. Smith, R. Smith, Sweeney, and Wahls. 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 Ways and Means Committee on [Senate File 599](#), 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:

**NATURAL RESOURCES AND ENVIRONMENT**

Marcus Branstad – Natural Resource Commission  
Laura Foell – Natural Resource Commission

Karen Andeweg – Iowa Comprehensive Petroleum Underground Storage Tank Fund Board

Mark Cobb – Renewable Fuel Infrastructure Board  
Gary Langbein – Renewable Fuel Infrastructure Board  
Brian Wiegert – Renewable Fuel Infrastructure Board

**BILLS SIGNED BY THE GOVERNOR**

A communication was received announcing that on March 21, 2019, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 113](#) – Allowing certain operating-while-intoxicated offenders to be sentenced as habitual offenders, and making penalties applicable.

[Senate File 367](#) – Eliminating the education telecommunications council and regional telecommunications councils established under the Iowa communications network.



AMENDMENTS FILED

<u>S-3066</u>	<u>S.F. 581</u>	Randy Feenstra
<u>S-3067</u>	<u>S.F. 334</u>	Jason Schultz