

SENATE REPORTS RECEIVED AFTER ADJOURNMENT

The following is a record of Senate reports received after the close of the 2019 Regular Session.

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:

DEPARTMENT OF HUMAN SERVICES

Medicaid Managed Care Oversight Quarterly Meeting Minutes, pursuant to 2016 Iowa Acts, Chapter 1139, section 94. Report received on April 30, 2019.

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD

Progress and Activities Report, pursuant to Iowa Code section [455G.4](#). Report received on April 29, 2019.

STATE PUBLIC DEFENDER

Judicial Review Report—Office of the State Public Defender, pursuant to Iowa Code section [625.29](#). Report received on April 30, 2019.

BOARD OF REGENTS

Biennial Report, pursuant to Iowa Code section [262.26](#). Report received on May 28, 2019.

Physical Research and Technology (ISU) Report, pursuant to 2019 Iowa Acts, [Senate File 608](#), Section 17. Report received on May 28, 2019.

State Geologist Annual Report, pursuant to 2018 Iowa Acts, Chapter 1023, section 15. Report received on May 28, 2019.

DEPARTMENT OF REVENUE

Central Collections Unit (CCU) Quarterly Debt Collection Report, pursuant to Iowa Code section [421.17](#). Report received on May 8, 2019.

Tax Expenditure Cost Estimate Report, pursuant to Iowa Code section [2.48](#). Report received on May 8, 2019.

CERTIFICATES OF RECOGNITION

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

Kossi Akakpo of Central Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Kailynn Avis of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Kamryn Avis of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Owen Booth of Central Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Jaley Burke of Central Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Karissa Burton of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Tatiana Carrasquillo of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Kaitlyn Cawiezell of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Jacqueline Cruz of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Ezekiel Ellis of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Brittany Georgi of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Anahi Gonzalez of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Greg Goodman, Washington—Upon his retirement of 34 years with the Washington Police Department. Senator Kinney.

Jenyka Graves of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Alley Gray of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Maggie Halloran of Central Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Rylan Hazen of West Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Alexandria Jimenez of Muscatine Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

John Klostermann, City of Dubuque Public Works Director—For being named one of the top leaders in his field by the American Public Works Association. Senator Jochum.

Kaitlyn Lathrop of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Jose Guadalupe Martinez III of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Shane Mathias of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Diamond McGee of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Taya Melendez of West Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Julia Moravec of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Shelby O'Brien of West Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Stephanie Orellana of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Cor'Jon Palmer of West Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Elizabeth Payne of Central Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Mateo Rangel of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Brenden Steele of West Middle School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

Evelyn Van Heukelom, Pella—For celebrating her 100th birthday. Senator Rozenboom.

Sydney Weggen of Muscatine High School—For receiving the 2019 Excellence in Education Scholarship. Senator Lofgren.

BILLS REFERRED TO COMMITTEE FROM CALENDAR

MR: PRESIDENT: Pursuant to Senate Rule 4, the following bills remaining on the Senate Calendar upon adjournment of the 2019 session will be removed from the calendar and referred back to the committee to which they were originally assigned:

S.F. 307	Ways and Means
S.F. 335	State Government
S.F. 342	Judiciary
S.F. 375	Judiciary
S.F. 389	Transportation
S.F. 416	Judiciary
S.F. 461	Judiciary
S.F. 464	Judiciary (with attached HF 267)
S.F. 522	Judiciary
S.F. 557	Commerce
S.F. 562	Commerce
S.F. 579	Judiciary
S.F. 582	State Government
S.F. 598	Ways and Means (with attached HF 339)
S.F. 601	Appropriations
S.F. 610	Ways and Means
S.F. 613	Ways and Means
S.F. 622	Ways and Means
S.F. 626	Ways and Means
S.F. 628	Ways and Means
S.F. 630	Ways and Means
S.F. 635	Ways and Means
S.F. 636	Ways and Means
S.F. 639	Government Oversight
S.C.R. 9	Rules and Administration
S.J.R. 19	State Government
S.J.R. 20	Appropriations
S.J.R. 22	Ways and Means

W. CHARLES SMITHSON
Secretary of the Senate

WITHDRAWAL OF
GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on April 27, 2019:

I am withdrawing the name of Janet Phipps for reconfirmation as Director of the Iowa Department of Administrative Services from further consideration by the Senate.

If you have any questions, please contact my Senior Legal Counsel Sam Langholz by phone at (515) 537-5280 or by email at sam.langholz@iowa.gov.

Sincerely,
KIM REYNOLDS
Governor

REPORT OF THE SECRETARY OF THE SENATE

April 29, 2019

The Honorable Kim Reynolds
Governor of Iowa
Hand-Delivered

Re: Notice of Senate Disapproval of a Gubernatorial Nominee

Dear Governor Reynolds,

On April 9, 2019, the Iowa Senate failed to approve the confirmation of Phil Hemingway as a member of the Board of Educational Examiners. Pursuant to Iowa Code section [2.32\(11\)](#), this triggers certain timelines.

Notice of this disapproval was filed with your office on April 11, 2019. As part of that notice, it was also stated that a motion to reconsider the vote on the confirmation had been filed. When the Senate adjourned on April 27, 2019, a vote on the motion to reconsider had not been taken. As such, pursuant to Senate Rule 24 the motion is deemed to have failed as an operation of procedure. Therefore, the disapproval of Phil Hemingway is now official and the timelines in Iowa Code section [2.32\(11\)](#) are official.

If you have any questions or concerns, please notify me.

Sincerely,
W. Charles Smithson
Secretary of the Senate

FINAL DISPOSITION OF MOTION TO RECONSIDER

Pursuant to Senate Rule 24, the following motion to reconsider, which remained on the Senate Calendar upon the adjournment of the 2019 Regular Session of the Eighty-eighth General Assembly, was determined to have **failed**:

The motion to reconsider the vote by which Phil Hemingway, the governor's appointee as member of the Board of Educational Examiners, failed to pass the Senate on April 9, 2019. (Motion to reconsider filed by Senator Whitver on April 9, 2019.)

W. CHARLES SMITHSON
Secretary of the Senate

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

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 29th day of April, 2019.

[Senate File 475.](#)

ALSO: The Secretary of the Senate respectfully reports that the following bills have 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 30th day of April, 2019.

Senate Files 158, 170, 282, 283, 302, 303, 319, 341, 346, 364, 379, 412, 435, 505, 528, 531, 590, 600, and 618.

ALSO: The Secretary of the Senate respectfully reports that the following bills have 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 2nd day of May, 2019.

Senate Files 86, 93, 139, 188, 228, 306, 337, 377, 409, 447, 597, 603, 605, 632, and 638.

ALSO: The Secretary of the Senate respectfully reports that the following bills have 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 3rd day of May, 2019.

Senate Files 230, 265, 267, 323, 394, 502, 548, 563, 567, 570, 589, 609, 616, and 629.

ALSO: The Secretary of the Senate respectfully reports that the following bills have 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 6th day of May, 2019.

Senate Files 599, 608, 615, 617, 619, and 634.

W. CHARLES SMITHSON
Secretary of the Senate

SENATE BILLS APPROVED AND ITEM VETOED AFTER ADJOURNMENT

The following is a record of action by the Governor transmitted to the Secretary of State after the close of the 2019 Regular Session:

SENATE BILLS APPROVED

[Senate File 86](#)—Requiring the department of natural resources to include anatomical donor symbols on certain licenses. Approved May 6, 2019.

[Senate File 93](#)—Relating to abandoned structures and abatement of public nuisances. Approved May 10, 2019.

[Senate File 139](#)—Relating to a financial literacy requirement under the state's educational standards. Approved May 9, 2019.

[Senate File 158](#)—Relating to postconviction relief procedure and the underlying trial court record of the proceedings challenged. Approved May 1, 2019.

[Senate File 170](#)—Relating to the publication duties of and the filling of vacancies on county agricultural extension councils and including effective date and applicability provisions. Approved May 2, 2019.

[Senate File 188](#)—Prohibiting a governing board of a public college or university from adopting or enforcing any policy or rule that prohibits a person from carrying, transporting, or possessing a dangerous weapon producing a nonprojectile high-voltage pulse designed to immobilize a person in the buildings or on the grounds of such a college or university. Approved May 9, 2019.

[Senate File 228](#)—Relating to bioscience-based economic development, the establishment of a bioscience development corporation, and membership on the Iowa innovation council. Approved May 16, 2019.

[Senate File 230](#)—Relating to manufacturers of alcoholic beverages. Approved May 21, 2019.

[Senate File 265](#)—Providing for the sale of certain mushrooms at farmers markets, and providing an effective date. Approved May 3, 2019.

[Senate File 267](#)—Relating to the practice of massage therapy, and providing penalties. Approved May 10, 2019.

[Senate File 282](#)—Providing for the repeal of the honey creek premier destination park bond program. Approved May 1, 2019.

[Senate File 283](#)—Relating to conflicts of interest in certain government public contracts. Approved May 3, 2019.

[Senate File 302](#)—Relating to motor vehicles operated by an automated driving system, and making penalties applicable. Approved May 3, 2019.

[Senate File 303](#)—Relating to the replacement of a person's driver's license or nonoperator's identification card on the person's twenty-first birthday anniversary. Approved May 3, 2019.

[Senate File 306](#)—Establishing a lake Manawa state park user fee pilot program and a Waubonsie state park user fee pilot program. Approved May 9, 2019.

[Senate File 319](#)—Relating to peace officers and retired peace officers who provide street or highway driving instruction. Approved May 3, 2019.

[Senate File 323](#) – Relating to canned cocktails and including effective date provisions. Approved May 10, 2019.

[Senate File 337](#)—Providing for exceptions to the state child labor law. Approved May 10, 2019.

[Senate File 341](#)—Relating to assistance animals and service animals in housing, service animals and service-animals-in-training in public accommodations, and misrepresentation of an animal as a service animal or a service-animal-in-training, providing penalties, and including effective date and applicability provisions. Approved May 2, 2019.

[Senate File 346](#)—Creating the criminal offense of female genital mutilation and providing penalties. Approved May 1, 2019.

[Senate File 364](#)—Relating to the Iowa sobriety and drug monitoring program. Approved May 2, 2019.

[Senate File 377](#)—Extending immunity from tort liability to certain nonprofit corporations providing emergency response services. Approved May 17, 2019.

[Senate File 379](#) – Relating to qualifications to practice law in Iowa and regulation of persons admitted to practice law in a jurisdiction of the United States other than Iowa. Approved May 1, 2019.

[Senate File 394](#)—Relating to requirements school districts and accredited nonpublic schools must meet to provide distance learning classes that meet the requirements of Iowa's education program. Approved May 9, 2019.

[Senate File 409](#)—Relating to administrative procedures within the department of natural resources. Approved May 9, 2019.

[Senate File 412](#)—Relating to post-loss assignment of rights to residential contractors for repair or services performed on residential real estate covered by property and casualty insurance, and making penalties applicable. Approved May 1, 2019.

[Senate File 435](#)—Relating to towable recreational vehicles, travel trailers, and fifth-wheel travel trailers, making penalties applicable, and including applicability provisions. Approved May 2, 2019.

[Senate File 447](#)—Relating to the power of cities to regulate certain building restrictions, and including effective date provisions. Approved May 2, 2019.

[Senate File 475](#)—Providing for notarial acts, including by providing for the use of electronic media, providing penalties, and including effective date provisions. Approved April 29, 2019.

[Senate File 502](#)—Relating to disclosures of certain information, including reprisals with respect to employees of the state and a political subdivision of the state and providing information to employees concerning the office of ombudsman. Approved May 10, 2019.

[Senate File 505](#)—Modifying provisions relating to the licensure of professional landscape architects. Approved May 10, 2019.

[Senate File 528](#)—Relating to self-service storage facilities, including the creation and enforcement of liens on personal property within leased spaces. Approved May 1, 2019.

[Senate File 531](#)—Relating to pediatric congenital heart surgery including data reporting and the provision of patient education by hospitals. Approved May 3, 2019.

[Senate File 548](#)—Relating to the acquisition, donation, or sale of real property for specified purposes. Approved May 9, 2019.

[Senate File 563](#)—Relating to pharmacy benefit managers and information related to the management of prescription drug benefits, and including applicability provisions. Approved May 8, 2019.

[Senate File 567](#)—Relating to disqualifications from holding certain professional licenses for persons convicted of certain crimes. Approved May 9, 2019.

[Senate File 570](#)—Providing for immunity from civil liability for licensed architects and professional engineers providing disaster emergency assistance under specified circumstances and including effective date provisions. Approved May 10, 2019.

[Senate File 589](#)—Relating to criminal law and procedure including certain related administrative proceedings, providing penalties, and including effective date and applicability provisions. Approved May 16, 2019.

[Senate File 590](#)—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. Approved May 1, 2019.

[Senate File 597](#)—Exempting from the sales tax certain items and services sold or furnished to nonprofit blood centers. Approved May 16, 2019.

[Senate File 599](#)—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. Approved May 13, 2019.

[Senate File 600](#)—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. Approved May 1, 2019.

[Senate File 603](#)—Relating to use of concurrent enrollment programs for teaching certain subjects required under the educational standards, to the enrollment of pupils under concurrent enrollment program agreements between certain accredited nonpublic schools and community colleges, and to the criminal offense of sexual exploitation by a school employee providing instruction under a concurrent enrollment program, making penalties applicable, and including retroactive and other applicability provisions. Approved May 23, 2019.

[Senate File 605](#)—Relating to the application fee and annual fee imposed for nonassistance child support cases. Approved May 10, 2019.

[Senate File 608](#)—Making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, the college student aid commission, and the state board of regents and certain regents institutions, and properly related matters. Approved May 17, 2019.

[Senate File 609](#)—Relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions. Approved May 13, 2019.

[Senate File 616](#)—Relating to appropriations to the judicial branch. Approved May 17, 2019.

[Senate File 617](#)—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. Approved May 13, 2019.

[Senate File 618](#)—Relating to alcoholic beverage control and matters under the purview of the alcoholic beverages division of the department of commerce and including effective date provisions. Approved May 10, 2019.

[Senate File 619](#)—Modifying provisions applicable to certain service contract providers regulated by the commissioner of insurance, providing fees, making penalties applicable, making an appropriation, and including effective date provisions. Approved May 16, 2019.

[Senate File 629](#)—Relating to permits for vehicles of excessive size and weight, including vehicles transporting raw forest products, and providing for fees. Approved May 20, 2019.

[Senate File 632](#)—Making appropriations to the department of public health for the gambling treatment program. Approved May 13, 2019.

[Senate File 634](#)—Relating to local government budgets and property taxation by modifying provisions governing the establishment and approval of county and city budgets, modifying provisions relating to the state appraisal manual, and including applicability provisions. Approved May 23, 2019.

[Senate File 638](#)—Relating to state and local finances by making appropriations, providing for legal and regulatory responsibilities, providing for other properly related matters, and including effective date, applicability, and retroactive applicability provisions. Approved May 8, 2019.

GOVERNOR'S ITEM VETO MESSAGE

[Senate File 615](#)

May 22, 2019

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit [Senate File 615](#), an act relating to appropriations to the justice system, and including effective date and retroactive applicability provisions.

[Senate File 615](#) is approved on this date with the exception of sections 24 and 28, of which I disapprove. These sections would have amended the Attorney General's statutory duties to require the approval of the Governor, Executive Council, or Legislature to prosecute any action or proceeding, including signing onto or authoring amicus briefs or letters of support, in any court or tribunal other than an Iowa state court.

I share many of the concerns expressed by members of the Legislature about the past actions of Attorney General Tom Miller in courts outside of Iowa. He has participated in litigation throughout the nation, repeatedly taking positions in the name of the State of Iowa that are in conflict with Iowa's statutes, the policy goals of the Legislature and Governor, and the best interests of Iowans. But I am cautious about approving a provision that redefines the scope of the Attorney General's duties because I am mindful that the Attorney General is also elected by, and directly accountable to, the people of Iowa.

As a result of the Legislature's leadership on this issue, Attorney General Miller and I have had the opportunity to engage in a thoughtful discussion about the appropriate balance of authority between the Governor and the Attorney General with respect to Iowa's involvement in litigation. And ultimately, Attorney General Miller agreed to my proposal to adjust our litigation practices in a manner that I believe addresses my core concerns without amending Iowa's current statutes.

Attorney General Miller has agreed that so long as he serves as Attorney General, he will not prosecute any action or proceeding or sign onto or author an amicus brief in the name of the State of Iowa in any court or tribunal other than an Iowa state court without the consent of the Governor. He retains the authority to participate in litigation or author letters in his own name, as Attorney General of Iowa. Attorney General Miller has also agreed that if the Governor requests that he prosecute an action or proceeding or file an amicus brief in any court, he will do so or facilitate outside counsel, and that such participation requested by the Governor shall be conducted in the name of the State of Iowa.

This agreement is an appropriate interpretation of the authority and duties provided for under existing Iowa law and our constitutional structure. It ensures that the State of Iowa will speak with one consistent voice when it participates in court proceedings outside of our state. And it respects the Attorney General's independent authority and accountability to the people of Iowa.

I commend the Legislature for starting this important discussion and Attorney General Miller for his willingness to reevaluate our practices with respect to engaging in litigation on behalf of the State of Iowa. I look forward to working with Attorney General Miller to ensure that the State's litigation advances the interests of Iowans.

For these reasons, I respectfully disapprove [Senate File 615](#) in part, only as specified above, in accordance with Article III, Section 16, of the Constitution of the State of Iowa. The remainder of [Senate File 615](#) not disapproved as stated herein is approved on this date.

Sincerely,

KIM REYNOLDS
Governor of Iowa