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**STATE OF IOWA**

**Senate Journal**

**MONDAY, APRIL 8, 2019**

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# JOURNAL OF THE SENATE

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EIGHTY-FIFTH CALENDAR DAY  
FORTY-NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, April 8, 2019

The Senate met in regular session at 1:03 p.m., President Schneider presiding.

Prayer was offered by Pastor Haddon Anderson of the Garner E-Free Church in Garner, Iowa. He was the guest of Senator Guth.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Joshua Lowry of Sioux City, Iowa. He was the guest of Senator J. Smith.

The Journal of Thursday, April 4, 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 4, 2019, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 756**, a bill for an act appropriating federal funds made available from federal block grants and other nonstate sources, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

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

[House File 758](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective date provisions.

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

President Pro Tempore Behn took the chair at 1:06 p.m.

President Schneider took the chair at 1:09 p.m.

The Senate stood at ease at 1:13 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:15 p.m., President Schneider presiding.

#### CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Whitver called up the following eligible appointees on the En Bloc Confirmation Calendar:

Courtney DeRonde, Accountancy Examining Board  
Michelle O'Neill, Accountancy Examining Board

Carole Dunkin, Commission on Aging  
Suzanne Heckenlaible, Commission on Aging  
Steve Van Oort, Commission on Aging

Gretchen McLain, Agricultural Development Board

Gary Nystrom, Alcoholic Beverages Commission

Kolby DeWitt, Architectural Examining Board  
Anna Harmon, Architectural Examining Board

John Hollinrake, Board of Athletic Training  
Christopher Kamm, Board of Athletic Training  
Christopher Wiedmann, Board of Athletic Training

Andrew Beer, Iowa Autism Council  
Nicholos Nopoulos, Iowa Autism Council  
Dr. Matthew O'Brien, Iowa Autism Council  
Blake Stephenson, Iowa Autism Council  
Michael Zehr, Iowa Autism Council

Maureen Hardy, Board of Barbering

Echo Kent, Board of Behavioral Science  
Kerry Lust, Board of Behavioral Science  
Dr. Amy Mooney, Board of Behavioral Science

Joseph Van Lent, Commission for the Blind

Susan Oltrogge, Boiler and Pressure Vessel Board

Sarah Madojemu, Child Advocacy Board  
Angela Stokes, Child Advocacy Board

Dr. Jason Wall, Board of Chiropractic

Mari Bunney, City Development Board  
MacKenzie O'Hair, City Development Board

Ashley Hunt, Iowa State Civil Rights Commission  
Angela Jackson, Iowa State Civil Rights Commission  
Justin Johnston, Iowa State Civil Rights Commission  
Patricia Lipski, Iowa State Civil Rights Commission

John Murphy, Commission on Community Action Agencies

Dr. Lisa Hill, Board of Corrections  
Webster Kranto, Board of Corrections  
Lawrence Kudej, Board of Corrections

Lucas Knight, Board of Cosmetology Arts and Sciences

Russell Hopp, County Finance Committee  
Melvyn Houser, County Finance Committee  
Amanda Waske, County Finance Committee

Katie Averill, Superintendent of Credit Unions

Tyler Campbell, Credit Union Review Board  
Scott Zahnle, Credit Union Review Board

Ardyth Slight, Criminal and Juvenile Justice Planning Advisory  
Council

Dr. Gregory Ceraso, Board of Dentistry  
Dr. Monica Foley, Board of Dentistry  
Dr. Lisa Holst, Board of Dentistry

Dr. Julie Eichenberger, Board of Dietetics

Warren Hunsberger, Jr., Iowa Drug Policy Advisory Council  
Jane Larkin, Iowa Drug Policy Advisory Council

Diane Campbell, Early Childhood Iowa State Board  
Richard Clewell, Early Childhood Iowa State Board  
Mayra Martinez, Early Childhood Iowa State Board  
Zachary Stier, Early Childhood Iowa State Board

Jennifer Cooper, Economic Development Authority  
Lisa Hull, Economic Development Authority  
Pankaj Monga, Economic Development Authority  
Lisa Shimkat, Economic Development Authority  
Thomas Townsend, Economic Development Authority

Floyd Athay, Board of Educational Examiners  
David Harper, Board of Educational Examiners

Colby Black, Electrical Examining Board  
John Claeys, Electrical Examining Board

Amy Infelt, Elevator Safety Board  
Marvin Schumacher, Elevator Safety Board

Paul Herold, Engineering and Land Surveying Examining Board  
Jack Jones, Engineering and Land Surveying Examining Board

Michael Broshar, Enhance Iowa Board  
Rita Frahm, Enhance Iowa Board  
Lisa Hein, Enhance Iowa Board  
Valerie Van Kooten, Enhance Iowa Board  
Mary Wells, Enhance Iowa Board

Stephanie Dykshorn, Environmental Protection Commission  
Amy Echard, Environmental Protection Commission  
Tim Kaldenberg, Environmental Protection Commission  
Ralph Lents, Environmental Protection Commission

Amy Reasner, Iowa Finance Authority  
Michael Van Milligen, Iowa Finance Authority

Monica Bieri, Grain Indemnity Fund Board, Iowa  
Curtis Sindergard, Grain Indemnity Fund Board, Iowa

Barbara Determan, Iowa Great Places Board  
Gregory Fisher, Iowa Great Places Board  
Nick Glew, Iowa Great Places Board  
Jenna Kimberley, Iowa Great Places Board

Carol Earnhardt, Health Facilities Council

Eric Kohlsdorf, Healthy and Well Kids in Iowa (HAWK-I) Board  
Dr. Kaaren Vargas, Healthy and Well Kids in Iowa (HAWK-I)  
Board

Ashley Bahr, Board of Hearing Aid Specialists  
Molly Parker, Board of Hearing Aid Specialists

Carol Forristall, Council on Human Services  
Rebecca Peterson, Council on Human Services  
Rick Sanders, Council on Human Services

Larry Johnson, Director of the Department of Inspections and  
Appeals

Todd Mithelman, Interior Design Examining Board  
Katherine Stavneak, Interior Design Examining Board

Nathan Borland, Landscape Architectural Examining Board  
Brenda Nelson, Landscape Architectural Examining Board

Caleb Knutson, Commission of Latino Affairs  
Valerie Nolte, Commission of Latino Affairs  
Gilbert Nunez, Commission of Latino Affairs

Timothy Carmody, Iowa Law Enforcement Academy Council  
David Lorenzen, Iowa Law Enforcement Academy Council

Josh Cook, Iowa Lottery Authority Board of Directors  
Mary Rathje, Iowa Lottery Authority Board of Directors

David Roederer, Director of the Department of Management

Irene Richards, Board of Massage Therapy  
Catherine Sampson, Board of Massage Therapy  
LeAnn Stevens, Board of Massage Therapy

Diane Cortese, Board of Medicine  
Dr. Ronald Kolegraff, Board of Medicine  
Dr. Joyce Vista-Wayne, Board of Medicine  
Dr. Nikhil Wagle, Board of Medicine

Teresa Daubitz, Mental Health and Disability Services  
Commission

Shari O'Bannon, Mental Health and Disability Services  
Commission

Maria Sorensen, Mental Health and Disability Services  
Commission

Cory Turner, Mental Health and Disability Services Commission

Kathy Johnson, Mental Health Risk Pool Board  
Eugene Meiners, Mental Health Risk Pool Board  
Cheryl Plank, Mental Health Risk Pool Board  
Karla Webb, Mental Health Risk Pool Board

Carl Linge, Board of Mortuary Science  
Maria Lundberg, Board of Mortuary Science

Vicky Apala-Cuevas, Commission of Native American Affairs  
Patrick Bigsby, Commission of Native American Affairs  
Kelly Montijo Fink, Commission of Native American Affairs  
Anthony Waseskuk, Commission of Native American Affairs

Dr. Nancy Kramer, Board of Nursing  
Mark Odden, Board of Nursing

Karol Dammann, Board of Nursing Home Administrators

Dr. Thomas Hayden, Board of Optometry  
Tamie Stahl, Board of Optometry

Dane Neelson, Board of Pharmacy  
Joan Skogstrom, Board of Pharmacy  
Dr. Kathryn (Kathy) Stone, Board of Pharmacy

Stephanie Kelsick, Board of Physical and Occupational Therapy  
Jeramy Kuhn, Board of Physical and Occupational Therapy  
Holly Little, Board of Physical and Occupational Therapy

Dr. Kevin de Regnier, Board of Physician Assistants  
Laura Delaney, Board of Physician Assistants  
Melissa Gentry, Board of Physician Assistants  
Michael Schnurr, Board of Physician Assistants

Dr. Theresa Hughes, Board of Podiatry  
Dr. Eugene Nassif, Board of Podiatry  
Dr. Mindy Trotter, Board of Podiatry

Elizabeth Goodman, Chair of the Property Assessment Appeal Board

Elizabeth Goodman, Property Assessment Appeal Board  
Dennis Loll, Property Assessment Appeal Board

Justin Rhode, Board of Psychology  
Dr. Lisa Streyffeler, Board of Psychology

Vernon (Fred) Greder, Jr., Real Estate Appraiser Examining Board

Twee Duong, Real Estate Commission  
Dennis Stolk, Real Estate Commission

Brandon Butters, Board of Respiratory Care  
Jennifer Finney, Board of Respiratory Care

Mary Martha Bruckner, School Budget Review Committee  
Leland Tack, School Budget Review Committee



Amanda Gallant, Board of Sign Language Interpreters and Transliterators

Susan Tyrrell, Board of Sign Language Interpreters and Transliterators

Amy Courneya, Board of Social Work

Tony Raymer, Board of Social Work

Jody Weigel, Board of Social Work

Paula Ellis, State Soil Conservation Committee

Colleen Miller, State Soil Conservation Committee

Patricia Ruff, State Soil Conservation Committee

Ashley Bahr, Board of Speech Pathology and Audiology

Karen Bryant, Board of Speech Pathology and Audiology

Daniel Seufferlein, Title Guaranty Division Board

Teresa Aoki, Commission on Tobacco Use Prevention and Control

Lorene Mein, Commission on Tobacco Use Prevention and Control

Robert Nichols, Commission on Tobacco Use Prevention and Control

Michele Sandquist, Commission on Tobacco Use Prevention and Control

Linda Juckette, State Transportation Commission

Geri Huser, Chair of the Utilities Board

Nick Wagner, Utilities Board

Charles Connors, Commission of Veterans Affairs

Orene Cressler, Commission of Veterans Affairs

Steven Hyde, Commission of Veterans Affairs

Kenneth Lloyd, Commission of Veterans Affairs

Darlene McMartin, Commission of Veterans Affairs

Gregory Paulline, Commission of Veterans Affairs

Dr. Dewayne Rahe, Iowa Board of Veterinary Medicine

Senator Whitver moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 50:

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
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, none.

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

#### CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Whitver called up the appointment of David Barker as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 1, 2019, found on page 818 of the Senate Journal.

Senator Rozenboom moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Behn	Bisignano	Bolkcom	Boulton
Breitbach	Brown	Carlin	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	Quirmbach
Ragan	Rozenboom	Schneider	Schultz
Segebart	Shiple	Sinclair	Smith, J.
Smith, R.	Sweeney	Taylor, R.	Taylor, T.
Wahls	Whiting	Whitver	Zaun
Zumbach			

Nays, 1:

Celsi

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Milt Dakovich as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 1, 2019, found on page 818 of the Senate Journal.

Senator Rozenboom moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

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
Quirmbach	Ragan	Rozenboom	Schneider
Schultz	Segebart	Shiple	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, R.
Taylor, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Whitver called up the appointment of Frederick Lindenmayer as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 1, 2019, found on page 818 of the Senate Journal.

Senator Rozenboom moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 50:

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
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, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

#### CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 226, 266, and 320.

### Senate File 226

On motion of Senator Breitbach, [Senate File 226](#), a bill for an act relating to commercial driver's license requirements, and including applicability provisions, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Breitbach offered amendment [S-3128](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-3128](#) was adopted by a voice vote.

Senator Breitbach asked and received unanimous consent that [House File 418](#) be substituted for [Senate File 226](#).

### House File 418

On motion of Senator Breitbach, [House File 418](#), a bill for an act relating to commercial driver's license requirements, and including applicability provisions, placed on the Unfinished Business Calendar on April 4, 2019, 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?" ([H.F. 418](#)), the vote was:

Yeas, 50:

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	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, R.
Taylor, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, none.

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

#### WITHDRAWN

Senator Breitbach asked and received unanimous consent that [Senate File 226](#) be **withdrawn** from further consideration of the Senate.

#### [Senate File 266](#)

On motion of Senator Koelker, [Senate File 266](#), a bill for an act relating to required notices to the department of transportation regarding certain registered aircraft, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Koelker asked and received unanimous consent that [House File 390](#) be **substituted** for [Senate File 266](#).

#### [House File 390](#)

On motion of Senator Koelker, [House File 390](#), a bill for an act relating to required notices to the department of transportation regarding certain registered aircraft, placed on the Unfinished Business Calendar on April 4, 2019, 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?" ([H.F. 390](#)), the vote was:

Yeas, 50:

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	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, R.
Taylor, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, none.

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

#### WITHDRAWN

Senator Koelker asked and received unanimous consent that [Senate File 266](#) be **withdrawn** from further consideration of the Senate.

#### [Senate File 320](#)

On motion of Senator Nunn, [Senate File 320](#), a bill for an act relating to permissible interest rates and charges for certain loans, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Nunn asked and received unanimous consent that [House File 260](#) be **substituted** for [Senate File 320](#).

#### [House File 260](#)

On motion of Senator Nunn, [House File 260](#), a bill for an act relating to permissible interest rates and charges for certain loans, placed on the Unfinished Business Calendar on April 4, 2019, 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?" ([H.F. 260](#)), the vote was:

Yeas, 40:

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

Nays, 10:

Bolkcom	Celsi	Dotzler	Giddens
Hogg	Jochum	Lykam	Smith, J.
Taylor, T.	Wahls		

Absent, none.

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

#### WITHDRAWN

Senator Nunn asked and received unanimous consent that [Senate File 320](#) be **withdrawn** from further consideration of the Senate.

#### IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **House Files 260, 390, and 418** be **immediately messaged** to the House.

#### CONSIDERATION OF BILLS (Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration Senate Files 402, 403, and 580.



### [Senate File 402](#)

On motion of Senator Breitbach, [Senate File 402](#), a bill for an act providing for the good-faith submission of information, records, applications, and documents to the credit union division, placed on the Unfinished Business Calendar on April 4, 2019, 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. 402](#)), the vote was:

Yeas, 50:

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	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, R.
Taylor, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, none.

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

### [Senate File 403](#)

On motion of Senator Breitbach, [Senate File 403](#), a bill for an act relating to the subpoena powers of the superintendent of credit unions, and making penalties applicable, placed on the Unfinished Business Calendar on April 4, 2019, 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. 403](#)), the vote was:

Yeas, 50:

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	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, R.
Taylor, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, none.

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

### [Senate File 580](#)

On motion of Senator Schultz, [Senate File 580](#), a bill for an act relating to the liability of private employers, general contractors, and premises owners for negligently hiring employees, agents, or independent contractors convicted of a public offense, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Schultz offered amendment [S-3125](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-3125](#) was adopted by a voice vote.

Senator Schultz asked and received unanimous consent that [House File 650](#) be substituted for [Senate File 580](#).

### House File 650

On motion of Senator Schultz, [House File 650](#), a bill for an act relating to the liability of private employers, general contractors, and premises owners for negligently hiring employees, agents, or independent contractors convicted of a public offense, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

Senator Schultz 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. 650](#)), the vote was:

Yeas, 50:

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	Shipley	Sinclair
Smith, J.	Smith, R.	Sweeney	Taylor, R.
Taylor, T.	Wahls	Whiting	Whitver
Zaun	Zumbach		

Nays, none.

Absent, none.

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

### WITHDRAWN

Senator Schultz asked and received unanimous consent that [Senate File 580](#) be **withdrawn** from further consideration of the Senate.

## IMMEDIATELY MESSAGED

Senator Whitver asked and received unanimous consent that **Senate Files 402** and **403** and **[House File 650](#)** be **immediately messaged** to the House.

CONSIDERATION OF BILL  
(Unfinished Business Calendar)

Senator Whitver asked and received unanimous consent to take up for consideration **[Senate File 609](#)**.

**[Senate File 609](#)**

On motion of Senator Shipley, **[Senate File 609](#)**, a bill for an act 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, placed on the Unfinished Business Calendar on April 4, 2019, was taken up for consideration.

The Senate stood at ease at 3:59 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 4:27 p.m., President Schneider presiding.

Senator Breitbach offered amendment **[S-3127](#)**, filed by him from the floor to pages 2–3, 20, and 27 and amending the title page of the bill.

Senator Kinney offered amendment **[S-3137](#)**, filed by him from the floor to page 1 of amendment **[S-3127](#)**, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3137](#) to amendment [S-3127](#) be adopted?” ([S.F. 609](#)), the vote was:

Yeas, 24:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Feenstra	Giddens	Hogg
Jochum	Kinney	Lykam	Mathis
Nunn	Petersen	Quirnbach	Ragan
Rozenboom	Shiple	Sinclair	Smith, J.
Sweeney	Taylor, R.	Taylor, T.	Wahls

Nays, 26:

Behn	Breitbach	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Edler	Garrett	Greene	Guth
Johnson	Kapucian	Koelker	Kraayenbrink
Lofgren	Miller-Meeks	Schneider	Schultz
Segebart	Smith, R.	Whiting	Whitver
Zaun	Zumbach		

Absent, none.

Amendment [S-3137](#) to amendment [S-3127](#) lost.

Senator Breitbach moved the adoption of amendment [S-3127](#).

A nonrecord roll call was requested.

Amendment [S-3127](#) was adopted.

Senator Chapman withdrew amendment [S-3134](#), filed by him from the floor to page 10 of the bill.

Senator Hogg offered amendment [S-3133](#), filed by him from the floor to page 20 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3133](#) be adopted?" ([S.F. 609](#)), the vote was:

Yeas, 19:

Bisignano	Bolkcom	Boulton	Celsi
Dawson	Dotzler	Giddens	Hogg
Jochum	Kinney	Lykam	Mathis
Petersen	Quirnbach	Ragan	Smith, J.
Taylor, R.	Taylor, T.	Wahls	

Nays, 31:

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

Absent, none.

Amendment [S-3133](#) lost.

Senator Chapman offered amendment [S-3129](#), filed by him from the floor to page 27 and amending the title page of the bill.

Senator Petersen raised the point of order that amendment [S-3129](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3129](#) out of order.

Senator Shipley 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. 609](#)), the vote was:

Yeas, 32:

Behn	Breitbach	Brown	Carlin
Chapman	Costello	Cournoyer	Dawson
Edler	Feenstra	Garrett	Greene
Guth	Johnson	Kapucian	Koelker

Kraayenbrink	Lofgren	Miller-Meeks	Nunn
Rozenboom	Schneider	Schultz	Segebart
Shipley	Sinclair	Smith, R.	Sweeney
Whiting	Whitver	Zaun	Zumbach

Nays, 18:

Bisignano	Bolkcom	Boulton	Celsi
Dotzler	Giddens	Hogg	Jochum
Kinney	Lykam	Mathis	Petersen
Quirmbach	Ragan	Smith, J.	Taylor, R.
Taylor, T.	Wahls		

Absent, none.

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 [Senate File 609](#) be **immediately messaged** to the House.

#### ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 5:00 p.m. until 9:00 a.m., Tuesday, April 9, 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:

##### DEPARTMENT OF PUBLIC SAFETY

Annual Report, pursuant to Iowa Code section 7E.3. Report received on April 8, 2019.

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on April 8, 2019.

## DEPARTMENT OF REVENUE

Recurrent Taxpayer Noncompliance Report, pursuant to Iowa Code section 421.60. Report received on April 8, 2019.

## CERTIFICATE OF RECOGNITION

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

Lucille Legler, Fort Dodge—For celebrating their 100th birthday. Senator Kraayenbrink.

## INTRODUCTION OF RESOLUTIONS

[Senate Resolution 19](#), by Kinney, Brown, Wahls, and Zumbach, a resolution for congratulating and honoring University of Iowa wrestler Spencer Lee for his outstanding wrestling accomplishments, including a second consecutive National Collegiate Athletic Association wrestling championship title at the 125 pound weight-class.

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

[Senate Resolution 20](#), by Shipley, Rozenboom, Kapucian, and Zumbach, a resolution for urging an investigation and review of the actions of the Army Corps of Engineers related to flood control in Western Iowa and a request that the Army Corps of Engineers be required to return to its primary mission of flood control.

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

[Senate Resolution 21](#), by Koelker, Rozenboom, Chapman, Behn, Sinclair, Kraayenbrink, R. Smith, Kapucian, Bisignano, Jochum, Mathis, Feenstra, Lykam, Dawson, and Schneider, a resolution for recognizing the impact of the Iowa Tuition Grant program on Iowa's citizens, towns, and cities, and honoring the efforts of Governor Robert D. Ray and the legislative leaders of the 63rd Iowa General Assembly on the 50th anniversary of the program.

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



## INTRODUCTION OF BILLS

[Senate File 615](#), by committee on Appropriations, a bill for an act relating to appropriations to the justice system, and including effective date and retroactive applicability provisions.

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

[Senate File 616](#), by committee on Appropriations, a bill for an act relating to appropriations to the judicial branch.

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

[Senate File 617](#), by committee on Ways and Means, a bill for an act 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.

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

## SUBCOMMITTEE ASSIGNMENT

[House File 756](#)

APPROPRIATIONS: Lofgren, Chair; Garrett and Ragan

## FINAL COMMITTEE REPORTS OF BILL ACTION

## APPROPRIATIONS

**Bill Title:** \*[SENATE FILE 615 \(SSB 1255\)](#), a bill for an act relating to appropriations to the justice system, and including effective date and retroactive applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 14: Breitbach, Kraayenbrink, Costello, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Lykam, Miller-Meeks, Rozenboom, Schneider, and Shipley. Nays, 7: Bolkcom, Celsi, Dotzler, Mathis, Ragan, T. Taylor, and Wahls. 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 Appropriations Committee on [Senate File 615](#), and they were attached to the committee report.

**ALSO:**

**Bill Title:** \*[SENATE FILE 616 \(SSB 1254\)](#), a bill for an act relating to appropriations to the judicial branch.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 13: Breitbach, Kraayenbrink, Costello, Garrett, Greene, Guth, Johnson, Koelker, Lofgren, Miller-Meeks, Rozenboom, Schneider, and Shipley. Nays, 8: Bolkcom, Celsi, Dotzler, Lykam, Mathis, Ragan, T. Taylor, and Wahls. 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 Appropriations Committee on [Senate File 616](#), and they were attached to the committee report.

#### WAYS AND MEANS

**Bill Title:** \*[SENATE FILE 617](#) (formerly [SF 366](#)), a bill for an act 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.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 10: Feenstra, Dawson, Behn, Brown, Chapman, Edler, Nunn, Schultz, R. Smith, and Sweeney. Nays, 6: Jochum, Bolkcom, Dotzler, Giddens, Quirnbach, and Wahls. Absent, 1: Carlin.

**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 617](#), and they were attached to the committee report.

## BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following 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 8<sup>th</sup> day of April, 2019.

[Senate Joint Resolution 17](#) and Senate Files 210, 304, 534, 555, 558, and 559.

W. CHARLES SMITHSON  
Secretary of the Senate

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 8, 2019, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate Joint Resolution 17](#) – Authorizing the temporary sale of merchandise at a toy benefit for Iowa children on the state capitol complex grounds.

[Senate File 304](#) – Relating to licensing sanctions against individuals who default or are delinquent on student loan debt or on a related service obligation.

[Senate File 534](#) – Relating to the use of gasification and pyrolysis facilities for the conversion of certain recoverable waste materials.

[Senate File 555](#) – Relating to weight limitations for certain implements of husbandry.

[Senate File 559](#) – Relating to insurance notices and documents delivered by electronic means to a consumer that purchases portable electronics insurance in a retail transaction.

## PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Janet Phipps Burkhead to Director of the Department of Administrative Services be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

JANET PETERSEN

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Mark Dejong to Board of Corrections be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

RICH TAYLOR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Justin Kirchhoff to IPERS Board be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

CLAIRE A. CELSI

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Wayne Walter to IPERS Board be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

HERMAN C. QUIRMBACH

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Stephanie Groen to State-Federal Relations Office Director be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

ROBERT M. HOGG

#### APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on April 8, 2019, to investigate the appointment and reappointment of the following appointees:

##### TRANSPORTATION

As a member of the State Transportation Commission:

Richard Arnold – Kapucian, Chair; Lykam and Shipley

##### WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on April 8, 2019:

I am withdrawing the name of Penny Cutler-Bermudez to serve as a member of the Board of Nursing from further consideration by the Senate.

Sincerely,  
KIM REYNOLDS  
Governor

## GOVERNOR'S DEFERRAL LETTER

The following letter from the Governor was received in the office of the Secretary of the Senate on April 8, 2019:

Please accept this notice of deferred appointment pursuant to section 2.32 of the Iowa Code for the appointment to the Board of Nursing, formerly held by Lanny Ward. This appointment has been deferred because the Governor's Office has initiated, but not yet completed, the selection process for this position.

Sincerely,  
KIM REYNOLDS  
Governor

## AMENDMENTS FILED

<a href="#">S-3125</a>	<a href="#">S.F. 580</a>	Jason Schultz
<a href="#">S-3126</a>	<a href="#">S.F. 608</a>	William A. Dotzler, Jr. Mark Lofgren
<a href="#">S-3127</a>	<a href="#">S.F. 609</a>	Michael Breitbach
<a href="#">S-3128</a>	<a href="#">S.F. 226</a>	Michael Breitbach
<a href="#">S-3129</a>	<a href="#">S.F. 609</a>	Jake Chapman
<a href="#">S-3130</a>	<a href="#">S.F. 608</a>	Robert M. Hogg
<a href="#">S-3131</a>	<a href="#">S.F. 608</a>	Robert M. Hogg
<a href="#">S-3132</a>	<a href="#">S.F. 608</a>	Robert M. Hogg
<a href="#">S-3133</a>	<a href="#">S.F. 609</a>	Robert M. Hogg
<a href="#">S-3134</a>	<a href="#">S.F. 609</a>	Jake Chapman
<a href="#">S-3135</a>	<a href="#">S.F. 608</a>	Liz Mathis
<a href="#">S-3136</a>	<a href="#">S.F. 608</a>	Jake Chapman
<a href="#">S-3137</a>	<a href="#">S.F. 609</a>	Kevin Kinney